OPIUM TRADE.

RETURN to an ORDER of the Honourable The House of Commons, dated 13 February 1840;—*for*,

A COPY of all PAPERS and DESPATCHES at the India House, on the Subject of HOSTILITIES between the *Chinese* and *British* Subjects engaged in the OPIUM TRADE, from 1830 to 1833, both Years inclusive.

East India House,
23 March 1840.

JAMES C. MELVILL.

(*Sir Harry Verney.*)

Ordered, by The House of Commons, *to be Printed*,
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A COPY of all PAPERS and DESPATCHES at the India House, on the Subject of HOSTILITIES between the *Chinese* and *British* Subjects engaged in the OPIUM TRADE, from 1830 to 1833, both Years inclusive.

To *Peter Auber*, Esq., Secretary, &c., East India House.

Sir,

I AM directed by the President and Select Committee, to acquaint you that since the closing of their despatch to the Honourable Court in the factory department of yesterday's date, they have received from the Kenn-min-foo two edicts, in which it is stated that an aggression had been committed by the crews of the opium receiving ships in the Cum-sing-moon anchorage, on the natives on shore, and that in the affray which took place a prisoner had been detained on board one of the ships.

2. The President and Select Committee not relying on the entire authenticity of this statement, directed me to address Captain Grant, whose ship we know for certain was principally involved, requiring him to furnish a full and particular account of all that has occurred.

3. I have the honour to enclose copies of the edicts referred to, and of my letter to Captain Grant (Nos. 1 and 3).

4. Without attaching any importance to the rumours which have reached Canton in reference to this affair, and in the absence of authentic information, it is right that I should place you in possession of the current report, exactly as it has reached the ears of the President and Select Committee.

5. We are informed that a Chinese having been seized for theft, and subsequently confined and severely punished on board the "Hercules," the Chinese in their turn captured three Lascars, who were guarding the wreck of the opium ship "Samarang," which is drawn up on the beach at Cum-sing-moon. This being observed by persons on board the ships, boats were manned, armed, and sent on shore; and after pursuing the Chinese to a village, where a desperate fight ensued, two of the Lascars were recaptured, the third being left in the hands of the Chinese. A despatch was then sent to Captain Grant, who was at Macao, and who is considered the head of the fleet at that anchorage, informing him of what had occurred, and desiring his instructions as to whether they were to make another effort to rescue the Lascar. It is further stated that he answered in the affirmative, whereupon another party, considerably larger, left the ships in numerous boats, displaying flags of all nations, and armed with artillery, muskets, and cutlasses; upon approaching the landing-place, they unexpectedly found themselves commanded by a fort which, to frustrate their intention of landing, immediately opened a fire upon them from two or three small guns, which without doing any damage had the purposed effect. Upon the first occasion it is said that a Mr. Baylis was severely wounded by a Chinese, who was instantly cut down by one of the party.

6. The two edicts which I have before referred to, and which accompany this letter, are the only communications which have hitherto been received by the President and Select Committee, and as far as they have been able to learn, no official report of this affair has yet reached the higher authorities of Government at Canton.

I have, &c.

Canton, 22 October 1833. (signed) *J. H. Astell*, Secretary.

EXTRACT CANTON FACTORY CONSULTATIONS, 20th October 1833.

WE have this day received two edicts from the Kenn-min-foo, in which it is stated that an affray has taken place between the foreigners belonging to the shipping at Cum-sing-moon and the natives on shore.

We are at the same time informed by current report, that the ship alluded to is the "Hercules," Captain Grant, and that the disturbance originated in a

Chinese having been seized for theft, and subsequently confined and severely punished on board the "Hercules." The Chinese, in their turn, a few days since, captured three Lascars, who were guarding the wreck of the opium receiving ship "Samarang," which is drawn up on the beach at Cum-sing-moon. This being observed by persons on board the ships, boats were armed and manned and sent on shore, and after pursuing the Chinese to a village, where a desperate fight ensued, two of the Lascars were recaptured, the third being left in the hands of the Chinese. A despatch was sent then to Captain Grant at Macao, desiring his instructions as to whether they were to make another attempt to rescue the Lascar. On his replying in the affirmative, a party, considerably larger than the first, left the ship, displaying flags of all nations, armed with artillery, muskets, and cutlasses. Upon approaching the landing-place, they unexpectedly found themselves commanded by a fort which, to frustrate their intention of landing, immediately opened a fire upon them from two or three small guns, which, without doing any damage, had the purposed effect.

It is not our intention at present to take any notice of either of these edicts; for, if the matter is likely to take a serious turn, we shall certainly hear further from the higher authorities in Canton. Without, therefore, considering either the report which we have stated to be current in Canton, or that affirmed by the Kenn-min-foo, we shall require, as a preliminary step, from Captain Grant a full and particular account of all that has occurred.

I, Hoo, Kenn-min-foo, &c. &c., issue an order for the institution of an inquiry concerning an affair reported to me on the 3d of the present month by the Heang-shan-heen, who states that on the evening of the 2d he received information from a Macao police runner, named Tang Yuen, to the effect that about 4 P. M. on the day previous thereto, several foreigners had landed from a ship anchored in the Cum-sing-moon, and having entered the village of Kee-oo, tried to force the people to sell them provisions, and that on finding them resolved not to comply, they took occasion to plunder them and carry off a bullock, the owner of which, by name Ko Ming Tsew, with his friend Hwang-a-Mang, pursued them, in hopes of recovering his property, upon which he himself was seized, whilst his friend Hwang, in endeavouring to rescue him, was wounded by one of the foreigners striking him with a musket. The presumptuous act of seizing a native Chinese was resorted to on the trifling grounds of a dispute about bringing provisions, and manifests a most audacious spirit of defiance of the laws. The Heang-shan-heen begs me to condescend to inquire and find out the name of the foreign ship alluded to, and to call upon the chief of the nation to which she belongs to give imperative orders for the instant release of Ko Ming Tsew, the man that was seized, and restitution of the bullock that was stolen and carried off; and furthermore to require the chief to investigate and discover who the foreigner was that inflicted the wound with a musket, and place (him) the murderer in confinement. Should Hwang-a-Heang recover of his wounds, the chief may then be permitted to set him free; but in case the wound should prove mortal, the foreign murderer must be delivered up for trial. Such are the circumstances represented, and it is fit to act thereupon in conformity with what is just and expedient. As this case refers to a quarrel between Chinese and foreigners, in which one has been seized and another wounded, it can by no means be looked upon as an affair of little consequence. I therefore lose no time in ordering the chief to take a linguist with him, and repair*, without an instant's delay, to the Cum-sing-moon; let them sift the case clearly, and ascertain who were the foreigners who landed at Kee-oo on the first of the month, and committed the outrages already detailed; let them state to what nation the ship belongs, the name of the murderer, and so forth, and give instant orders for the release of Ko and of his bullock, and the placing the murderer in confinement to await the result of his outrage. Having thus acted, let them immediately despatch a report to my office, and in it let there be no disguise or concealment of truth, and no attempt at evasive excuses, which will only involve them in disagreeable consequences. This must not be looked upon as a document of official form.—Haste! haste!—A special edict.

Taon Kwang, 13 year, 9 Moon, 4 day. } 16th October 1833.

* With the rapidity of a meteor—like lightning.

I, Hoo, Kenn-min-foo, &c. &c. issue my orders, and let them be fully attended to. I have already received a representation from the Heang-shan-heen relative to the outrages perpetrated at the village of Kee-oo by a party of foreigners, who landed from a ship at anchor in Kum-sing-moon. I have since examined Hwang-a-Mang, and found that the report of his having been wounded with a musket is perfectly true. I have put all the circumstances on record, and ordered a doctor to attend him. From this man I further learn, that on the 3d inst. the same party of foreigners again landed, and caused great confusion and alarm throughout the village, and that great difficulty is experienced in avoiding fresh disturbances. I have, on a former day, issued orders for the instant release of Ko Ming Tsew, and the restitution of his bullock, and the confinement of the foreign murderer; and now, with reference to this last most lawless proceeding, I lose no time in calling upon the English chief to go directly to the Kum-sing-moon, and order away the ship referred to into the open sea, and most strictly to interdict any more landings, and consequent disturbances, which cannot fail of eventually leading to serious involvement. Let him communicate the orders I now give, and let obedience be shown to them; after which, let him report back to my office, and not look upon this as a mere matter of official form. Let there be no attempt to screen the truth, and make evasive replies. Haste! haste!—A special edict.

Taon Kwang, 13 year, 9 moon, 5 day. } 17 October.

To Captain *A. Grant*, Master of the Ship "Hercules."

Sir,

I AM directed by the President and Select Committee to acquaint you, that they have received two communications from the Chinese government, representing an affray, attended with bloodshed, to have occurred in the Cum-sing-moon between the foreigners from the Hercules, and other shipping connected with her at that anchorage, and the natives on shore, whereby the Chinese have been wounded, their property taken, and prisoners captured and detained on board the ship.

I have received instructions from the President and Select Committee to require that you will immediately communicate to them the particulars of this proceeding, and inform them whether any Chinese are detained on board the Hercules, in order that they may take such steps as may appear necessary on the occasion.

I am, &c.
(signed) *J. H. Astell*, Secretary.

Canton, 19 October 1833.

EXTRACT FACTORY LETTER from *Canton*, dated 16 November 1833.

88. SUBSEQUENT to the closing of our last despatch, we directed our Secretary to address a letter to Mr. Secretary Auber, for the purpose of acquainting your Honourable Court of an affray that had just taken place at Cum-sing-moon, between the crews of the opium ships and the natives on shore; two edicts from the Chinese authorities and our Secretary's letter to Captain Grant accompanied that despatch.

89. Anxious to place your Honourable Court in possession of every circumstance connected with this extraordinary proceeding, we propose to give a sketch of it in the following paragraphs.

90. The subject was first brought to our notice in two edicts from the local authorities, stating that an affray had taken place at Cum-sing-moon, between the foreigners belonging to the shipping and the natives on shore, in which a Chinese had been taken and detained prisoner on board one of the ships. Factory Cons., 20 October.

91. The report which reached us at the same time affirmed that the ship alluded to was the "Hercules," Captain Grant, and that the disturbance originated in a Chinese having been detained for theft, and severely punished on board the Hercules. The Chinese, in their turn, captured three Lascars, who were guarding the wreck of the opium receiving ship Samarang, which is drawn up on the beech at Cum-sing-moon. This being observed by persons on board the ships,

boats were armed and manned, and sent on shore, and, after pursuing the Chinese to a village, where a desperate fight ensued, two of the Lascars were recaptured, the third being left in their hands; a reference was then made to Captain Grant, at Macao, whose instructions were, to make another attempt to rescue the Lascar.

92. Accordingly, a party very considerably larger than the first left the ships, displaying flags of all nations, armed with artillery, muskets, and cutlasses. Upon approaching the landing-place, they unexpectedly found themselves commanded by a fort, which, to frustrate their intentions of landing, opened a fire upon them from one or two small guns, which, without doing any damage, had the desired effect.

93. Such were the current reports, and your Honourable Court will hereafter perceive that, far from being at all exaggerated, they under-rate the excesses which were committed. We are credibly informed, by an eye-witness, that the party, on the first landing, set fire to a village, which was seen to burn during the whole of one night, and the commission of this outrage rendered the natives infuriate in attacking and repelling the party from the Hercules.

94. We did not consider it necessary to take any notice of the edicts referred to, being well aware that, should the matter take a serious turn, we should assuredly hear further from higher authorities in Canton; without, therefore, any reference to the report which was then current in Canton, or that affirmed by the Kenn-min-foo, we required from Captain Grant a full and particular account of all that had occurred.

Factory Cons., 20 October.

95. On the 24th October we received a reply from Captain Grant, enclosing a narrative of events at Cum-sing-moon during the whole period in question. On the same day an edict from the viceroy on the subject was delivered to the President.

Factory Cons., 24 October.

96. A reference to our Consultations will exhibit our detailed opinion on these documents, and your Honourable Court will perceive how very necessary it was that we should well consider every step we proposed to take in the business, in order to preserve consistency in our conduct and correspondence with the Chinese government.

Factory Cons., 25 October.

97. It has hitherto been our policy, as well as our interest, to profess non-interference as to what passes without the Bogue, with the quarrels and disturbances which arise between the crews of the opium ships and the natives; but we fear the time has been gradually approaching, and has now arrived, when the system of non-interference has reared up a power, and encouraged a lawless and piratical mode of procedure, which it is absolutely incumbent upon us to put down.

98. Your Honourable Court, in perusing our Factory Consultations during the past summer, will fully agree with us in opinions so frequently expressed in reference to this point, and many instances will be seen of the factious opposition that our authority has met with, and it is solely on account of this growing power, and independent spirit which prevailed, that we found it absolutely necessary to demand the licence of every British vessel, and to retain it in our possession until they were on the point of quitting China.

99. Whatever course might have been pursued by our predecessors in past years, had a case like the present occurred, we cannot consider that we, the representatives of the East India Company, the only recognized authority in China, with unlimited power over every British vessel and subject in this empire, which power could only have been given to us to use at discretion, could quietly hear of these extraordinary proceedings, and take no cognizance of them.

Factory Cons., 25 October.

100. We humbly conceive, that as the guardians of the legal trade of the port, we should ill discharge the duty which we owe to the East India Company, were we not to interpose our authority whenever the existence of that trade becomes endangered, and with this impression on our minds, and condemning, as we do, the impolitic proceedings of Captain Grant throughout the whole of this affair, even judging from his own account, we have intimated to him our view of the subject; and, as will be seen on our Consultations, immediately ordered him to quit the anchorage of Cum-sing-moon, and deliver up the Chinese whom he had so unjustly detained.

101. We also informed Captain Grant that we could not refrain from observing that, for some time past, he had rendered himself and the Hercules notorious for acts of aggression and violence against the Chinese, whilst no complaints had been made against any other of the opium ships; and that we considered he had rendered the ship under his command amenable to the forfeiture of her licence,

and

and himself to the forfeiture of his indentures, both of which we should have unhesitatingly cancelled had he failed to obey our orders.

102. A perusal of all the numerous documents in connexion with this subject, as recorded in our Consultations, will place your Honourable Court in possession of every circumstance, and we cannot view it in any other light than, that from beginning to the end, there has been pursued by Captain Grant a series of unjustifiable acts, amounting we might almost say to piratical conduct, which render him altogether unworthy of the command of any British vessel.

103. We cannot too strongly condemn Captain Grant for entering upon an ill-digested plan of storming a town, whereby the assailants were defeated; and it must never be forgotten that a victory, on the part of the Chinese, over foreigners is ever remembered, and does an incalculable injury to our national character; and it is to this rash and intemperate conduct that must be attributed the death of the unfortunate seacunny which took place in the affray.

104. In our reply to the viceroy, we wrote in general terms, urging the inconsistency of his applying to us on a subject relating to the illicit trade carried on outside the port, without molestation on the part of the Government, and with which the Company have no connexion, and merely informing him of the report which had reached us from the Cum-sing-moon, which we submitted to him in compliance with his Excellency's wish.

105. In the edicts from the Kenn-Min-Fow and viceroy, alluded to in paras. 90 and 95, it is stated that one Chinese was severely wounded at the time of carrying off the prisoner to the Hercules, and we were informed at the time that there was little or no chance of his recovery.

106. We were, therefore, not surprised to hear a few days ago that the Chinese had died of his wounds, and edicts were instantly brought us from the local mandarins, and from the viceroy, requiring the delivery of the murderer to suffer for his guilt. Factory Cons., November 4.

107. On the same day Howqua and Mowqua waited upon us, and endeavoured to persuade us to order up to Canton, to take their trial, all who were concerned in the disturbance at Cum-sing-moon, but upon our representing to them the risk of a further riot, which would attend the transmission of so great a number of men to Canton, without even the slightest chance of the individual who caused the death of the native being discovered, they ultimately abandoned this proposition. Throughout the interview we studiously adhered to our argument, that we could not be held responsible for what passed outside the river; that if the viceroy allowed the continuance of the smuggling trade, it was the province of the local officers of Government to enforce obedience to the laws of the empire. We remarked, that in accordance with the viceroy's wishes, we had informed him of the facts as they had become known to us; and we added, that we believed other nations were implicated in the disturbance, which made it impossible to fix the guilt on any nation in particular.

108. We did not receive any reply to our last communication to the viceroy until the 13th instant, but it is couched in terms which we think evince a disinclination to prosecute his demands to extremities. He is obliged to preserve his consistency by adhering to his desire to have the murderer delivered up; but, contrary to the usual language on these matters, he proposes that they should be tried by foreign law at Macao. It may be remarked, that this very strongly corroborates the arguments that have been advanced, as to the propriety of establishing a vice-admiralty, or other criminal jurisdiction in China, in cases of homicide. Factory Cons., Nov. 13.

109. In voluntarily proposing this innovation, it is apparent that the viceroy considers it necessary to continue his correspondence, by asking satisfaction in a manner that he expects may give him an opportunity of eventually dropping the affair with credit.

110. We have written a letter to the viceroy, which will be presented in a day or two, wherein we again urge the arguments which we have adopted throughout, and disavow all responsibility on account of the opium vessels.

111. Since drawing up our letter to the viceroy, alluded to in the foregoing paragraph, we have perceived by the Canton Register of the 14th, that the "John Biggar" sailed from Manilla on the 8th, and as her commander, Mr. Mackay, is particularly noticed in the viceroy's edict, we shall take the opportunity, as our letter has not yet been translated, of acquainting him with this circumstance, in

the hope that it may be the means of drawing the business to an amicable termination.

112. It is impossible, however, to say what turn this affair may take, but we are led to hope, from the temper and civility which has marked the viceroy's communications, that should the correspondence be prolonged, the Honourable Company's trade may escape interruption.

113. Your Honourable Court will observe in our Consultations, that on the 7th instant the arrival of His Majesty's ship, "Magicienne," at Lintin was announced by a letter from Captain Plumridge, who has since reached Canton.

Factory Cons., October 27.

114. When it was first reported that His Majesty's ship was expected to visit China, the President took an opportunity of impressing upon Howqua and Mowqua the propriety of their pointing out to the viceroy the expediency of the Chinese government abstaining from those unfriendly proclamations and measures which they are constantly in the habit of resorting to on the appearance of any of His Majesty's ships, which only tend to exasperate the officers, and which a more courteous treatment would prevent.

115. It was also remarked that in the present state of affairs, with regard to the violent and oppressive acts of the opium ships in the Cum-sing-moon, it appeared to be the interest of the local government to conciliate rather than to irritate, the officers of His Majesty's ships who might visit the coast, who were on every account entitled to respect and attention from the Chinese government.

Factory Cons., 12 Nov. 1833.

116. The merchants were fully impressed with the importance of these suggestions, and we are happy to remark that they have hitherto had the desired effect, as no chop has been issued ordering the frigate away, nor has a Comprador been withheld from attending her. Moreover, we are informed that Mowqua's mandarin brother has been deputed to proceed to the Bogue with instructions from the viceroy to the admiral and the commander of the forts adjacent to Chumpee not to interfere with her in any way.

Factory Cons., 13 November.

117. In reference to the object which has brought Captain Plumridge to China, he has expressed a wish to be made acquainted with the events which have transpired here during the past season with regard to the opium ships and Mr. Innes's violent conduct, and more particularly relating to the warfare at Cum-sing-moon, now a subject of correspondence between us and the Chinese government.

118. We can have no possible objection to this request; indeed we think it highly desirable that such atrocious conduct as our Consultations detail should be made known to his Excellency the Commander-in-Chief.

We have, &c.

(signed) *W. H. C. Plowden.*
J. F. Davis.
J. N. Daniell.

EXTRACT CANTON FACTORY CONSULTATIONS, 24 October 1833.

WE have this morning received the annexed edict from the viceroy, concerning the affray at Cum-sing-moon. It is reasonable and civil, much more so than we could have expected.

I, Loo, Viceroy of the Two Kwangs, &c. &c., publish my orders to the Hong merchants in reference to a case that has been laid before (me) in a joint memorial from the Foot-seang and Sing, of the Heang-shan district. It is stated, that on the 1st of the present month some Englishmen landed, and entered the village of Ke-oo, and after forcing them to sell various articles, they carried off a villager named Ko Ming Tsew, and fired a musket and wounded his fellow-labourer, Hwang-a-Mang, for interposing to save his friend. After this, the Heang-shan-heen, in compliance with a petition from the villager, examined the wounded man, ordered him medical assistance, and instituted a strict inquiry into the circumstances of the case. At that moment public business called the Too-tseang to Canton, and when returning, he was met on the road by Eying-lung, one of the coast-guard against foreigners, from whom he received a personal report that for several days in succession the foreigners had manned upwards of ten boats, had invaded the village with a fire of muskets and guns, and that they had told him to his face, that if the people of the village did not behave as they wished they would

would pull down every * cottage in the place. The statement goes on to say, that it is but lately that these ships have left their anchorage off Lintin, and come into the Kum-sing-moon, and the only reason that can be imagined for their audaciously presuming to make use of fire-arms, and wound men, and make prisoners of native Chinese, and for their expressing themselves in terms of disrespect and contempt is, that they are spying and entertaining schemes for setting down in those places. The officers (who made the report) have brought soldiers down to the village, where they are encamped for the repression of the foreigners, and, in the absence of a linguist, have sent a pilot to communicate to the foreigners their orders for the immediate release of Ko Ming Tsew, and the speedy departure of the ships into the outer stream. If they should prove proud and refractory, it will then be right to adopt extreme measures for controlling and chastising them. This is the statement brought before me (the viceroy). On inquiry, I find that the object which, from the first, brought foreigners to China, was the pursuit of commerce and gain. How should they all at once presume to approach the interior parts of the country and take to firing upon and wounding the natives, and carrying off villagers as prisoners; and, more than all, how should they have the audacity to give utterance to words of disrespect and contempt? Viewing the tenor of the report, I cannot but suspect that there have been mistakes made, owing to their not understanding each others language; and I think there must be other causes than those reported which led to the disturbance. These must be carefully inquired into and sifted, that I may act accordingly and repress disorder. I have observed foreigners to be generally respectful and complaisant in their language, and not given to break the rules of propriety. And, besides this, they have now for a period of considerably more than 100 years experienced the compassionate care and deep benevolence of the Heavenly Dynasty. If the people of the villages abuse them, there are the proper officers of the district to whom they should represent it, instead of giving a loose to the ebullitions of passion and acting without reason. I have now deputed Le-tun-nee, supernumerary Tunpan, to repair instantly to the village of Ke-oo and make a diligent inquiry into the origin and causes of this fray. And I have commanded him, in union with the district officers already sent there, to discover clearly who is in the wrong, and who is in the right. If the blame be proved to rest with the villagers, the foreigners may send a representation to the chief, which being communicated through the Hong merchants, may be laid before my tribunal, and I will decide and act accordingly; but they must not take upon themselves to land on the coast, and make use of fire-arms, and carry off prisoners. But should the blame be attached to the foreigners, it will be still more incumbent on them to avoid a repetition of such improper conduct. He is ordered to make an early report, upon which I may act and take measures for controlling and chastising the guilty. In my course I swerve not to the right nor to the left; I have ordered the Heang-shaw-heen and Hee to join in the inquiry; and, further, issue these my orders to the Hong merchants for immediate communication to the chief, that he may send orders to the foreign ship forthwith to set at liberty Ko Ming Tsew, the man who has been seized, and to deliver over the guilty foreigner who inflicted the musket wound into the hands of the mandarins for punishment, and let him order the said ship away to her own country. Let there be no refractory opposition shown. Haste, haste. These are my orders.

Taon Kwang, 13th Year, 9th Moon, 10th Day. } 22 October 1833.

This evening the following letter, accompanied by a statement of events at Cum-sing-moon, was delivered at the Secretary's office:

J. H. Astell, Esq., Secretary, &c.

Sir,

I have to acknowledge the receipt of yours of the 19th, which only came to hand in the evening of the 22d instant, and although the bearer was desired to wait for a reply, he was not to be found on the following morning.

The

* Literally "nests and caves."

The accompanying copy of a despatch to Messrs. Jardine, Matheson & Co. contains a detail of every circumstance that has come to my knowledge regarding the late outrage committed by the Chinese of Kee-ou on part of the crew of the Hercules. The Select Committee will perceive from that document that the facts of the case are nearly the reverse of those stated by the Chinese government; and that, far from being entitled to complain of their property being seized and people wounded, we have to seek justice on them for theft to a considerable amount, and, I very much fear, for the murder of one of our seacunnies, who was taken by them and has not since been heard of, though repeatedly demanded.

The Chinese, now on board the Hercules, was taken in the act of stealing copper and iron, and was, in the first instance, detained till some mode of getting him punished by their own authorities could be devised. He had been in custody about 18 hours only when one of our men was carried off, and he is now kept with the view of facilitating the recovery of our seacunny, if alive.

I have, &c.

Canton, 24 October 1833. (signed) *A. Grant.*

To Messrs. *Jardine, Matheson & Co.*, Canton.

Gentlemen,

HAVING arrived at this place on the 17th instant, I have now to communicate to you the circumstances of an outrage committed, in my absence, by the Chinese inhabitants of Kee-ou (a piratical village four miles N.E. of this anchorage) on the crew of the ship Hercules, as well as of an attempt made by the boats of the vessels now here to rescue one of our sea-cunnies, who had fallen into their hands; and also to report to you the particulars of the correspondence I have had with the Chinese authorities regarding this affair since my return to the vessel.

On the 12th instant, a Chinaman was seized while stealing brass and iron from the wreck of the Samarang, near this anchorage; we had a watch on shore looking after it, but he was first discovered by Bennet Bondhill, gunner of the Don Manuel, who approached, and on his offering resistance secured him, and in spite of the bribe of a dollar, offered for his release by some other Chinese who were present, conveyed him to this ship, when he was detained.

At three o'clock in the morning of the 14th instant, I was roused by an officer of the ship, who had been despatched by the chief mate to Macao, with the following letter:—

To *Captain Grant.*

Dear Sir,

This will be handed to you by Mr. Calder, whom I send down to explain to you what has taken place to-day. About an hour after you left, a gang of the old thieves came down, and carried away one of our tindals, who was watching the wreck of the old ship; I went over with a gang of our men to rescue him, and in doing so lost a seacunny, who was taken prisoner by them. I am very anxious to get the seacunny back, which may be done by taking a good force; and perhaps some of our stolen goods may be found also; they are all deposited, I hear, in one place in the town. I am very anxious to rescue the man; I am afraid they will ill-use him. Mr. Calder can give you a statement of facts, in the way the whole took place, from first to last, as he was on shore with me.

Yours, &c.

13 October, 10 P. M. (signed) *E. Parry.*

I replied to this verbally, by Mr. Calder, that I would go up to the ship at the turn of tide; but as he, having oars in his boat, was likely to be there before me, I desired him to tell Mr. Parry to send or go round to all the ships in the fleet, and ask for volunteers to go on shore for the seacunny, taking care to explain the nature of the service I wished them to engage in.

After thinking more deliberately of the matter, and the peculiar circumstances in which I am placed, I considered it to be prudent not to engage personally in this business until it became absolutely necessary. It seemed to me that a show of force was all that was required for our purpose, and that we could in no other way save the life of the seacunny; for even while he had shown no disposition to resent their outrage, they had beaten the tindal so dreadfully, that he thinks he would have been killed but for the interference of an old man in his favour. But

if

if it was necessary to interfere with force, it was equally so to send so great a one as would be not only sufficient to effect the rescue of our man, but as would be likely, by its apparent strength, to deter the people of the village from useless opposition, and induce them to give him up quietly. I trust it will appear to you that, in fulfilling the duty of protecting our people from lawless violence, I was desirous of acting with the greatest caution and moderation, and that all our proceedings should be, as they had hitherto been, purely in self defence. I accordingly wrote the following letter to Mr. Parry:—

My dear Sir,

On reconsideration, I do not think that it is necessary for me to go up, and therefore dispatch this overland to state my wishes. I think there is little doubt that the seacunny is ere this released, and back, all safe and sound; should he not be so, collect all the boats you possibly can, Portuguese, Hamburg, Danish, &c., and land at the village, when you must insist upon the man being given up forthwith; but be very cautious in not allowing any of the party to fire, so as to endanger life. You can, if necessary, (*i. e.* if they will not give up the man,) take some prisoners, and seize two or three of their boats, till satisfaction is given.

I suppose Captain Hector will have left before this reaches; should he not, show it to him, that he may do the needful. If all is not settled at once, send me an express down, and I shall instantly go up.

Macao,
14 Oct. 1833, 6 A. M.

Yours, &c.
(signed) *A. Grant.*

On the morning of the 15th, I received the following reply from the first officer:—

To Captain *A. Grant.*

Dear Sir,

I have now received your letter, dated 6 P. M. The seacunny is not yet given up, although I sent a written notice, saying if he was not given up by six o'clock this evening, I would use force to get him released. The bearer of our notice to the village returned, saying, they denied having the man, and threatened to keep him, the bearer; how far this is true we cannot say.

Since I have your sanction for making a show of fight, I have seen Captain Hector, who will conduct the affair according to your wishes. I have been round the fleet myself; every ship here volunteers a boat's crew, and some two, as they can manage, with the exception of the Mangles, Capt. Cara, who arrived yesterday, and is very sickly. We shall leave to-morrow, in a body of about 230 or 250; and out of that number, about 100 Europeans, including officers of the different ships.

14 October.

(signed) *E. Parry.*

I had calculated on the arrival of my letter early enough to enable the boats to land that evening, the 14th; and as much of the effect expected from the measure depended on its prompt execution, I was disappointed to find, by the foregoing note from Mr. Parry, that it was deferred until the next day, by which time it was to be feared the Chinese, foreseeing the result of their preceding conduct, might raise so large a force as would defeat its object. On the night of the 16th, I received the following communication from Captain Hector:—

My dear Grant,

To comply with your wishes to rescue the seacunny in possession of the Chinamen, we assembled a large force, and pulled up to the village; as soon as we hove in sight they began to fire shot. Captain Clayton and I pulled up in his gig with a flag of truce, to try and get the man by fair means; they paid no respect to the flag, but still kept firing shot, which falling around us, some of the boats, with the view of distracting the attention of those firing, and preventing their taking a deliberate aim, returned the fire.

This being contrary to my wishes, I thought it prudent to return, and wait till you came up yourself to direct the business, or sent a positive order for us to

carry the thing into execution, which we are all ready to do if you give us an order to that effect. My reason for not going to extremities to-day is, that it may be of serious consequence to the house, and think it necessary to have your orders before we go to extremities.

(signed) *J. Hector.*

P.S.—I'll stop here with the Lady Hayes till I get your answer.
Cum-sing-moon, 15 Oct. 1833, 1 P.M.

I replied immediately to this letter, but kept no copy of mine, approving of Captain Hector's forbearance in not landing the men under circumstances which must have been followed by much bloodshed. I requested him to refrain from all further coercive measures, but to send a chop demanding (as Mr. Parry had previously done) the release of our seacunny, and offering in that case to give up the thief, they promising that he should be justly punished. It is perhaps to be regretted that any of our boats returned the fire of the village, but I understand it was so heavy, though for the moment ill directed, that it was thought best to endeavour to check it by a counter-fire.

Early in the morning of the 17th I received the following from Capt. Hector:

My dear Grant,
I am very glad we have got our pilot, and shall be off to-morrow morning. I was afraid that we should not get one at all in consequence of the row. The Chinese report here that there is one man killed and one badly wounded. I hope this is not true. They say they have referred the thing to Canton. I got a compradore to write a chit on shore to-day, to say that if they will give up our man we will give up theirs, and that it was not our intention to have fired on them yesterday had they not commenced firing at us first. I am afraid that our man is killed, as they say that they have not got him or know anything of him. I shall now leave the business with Mr. Parry.
16 Oct. 1833, 10 P.M. (signed) *J. Hector.*

On receiving this note, I immediately proceeded to Cum-sing-moon, and deeming it satisfactory to obtain in the first instance a more detailed statement of the whole affair than is furnished by Captain Hector, I called on Capt. M'Kay, who has been at the anchorage during the past month, and was with the boats on the 15th, to put on record everything that had come under his observation. I have accordingly been furnished with the circumstantial account, of which I annex a copy for your information:

A STATEMENT of the Circumstances which fell under my observation regarding the late Outrage of the Chinese on a part of the Crew of the Hercules.

THE ship Samarang, having been driven on shore on the island of Kee-ou in a gale of wind, and placed in such a situation as rendered it impossible to float her off, it was determined to break her up where she lay. In this situation the Chinese were robbing her every night. They had stolen anchors, spars, an iron forge, and a variety of articles, many of which were valuable; even our clothes, when sent on shore, were stolen, and this in open day. No particular notice was taken of these depredations more than repeatedly cautioning them against the consequences which might ensue if they did not desist.

One day a Chinaman was discovered by the boat's crew of a Portuguese ship stealing iron and copper; they brought him off to the Hercules, where it was the intention of the officer in command to detain him until the return of the captain, who at the time was at Macao. The captain would perhaps have sent him to Canton or Macao for punishment. Next day, however, (Sunday, 13th,) the Chinese seized one of the Hercules' men at the watering-place, when alone, and at some distance from his shipmates.

About a couple of hours afterwards the chief officer of the Hercules was informed of the circumstance. He immediately landed with about 40 of his crew, made the best of his way to a walled town he knew to be on the island; after some difficulty he found it, entered it, and had the man released. When returning they found a dense mob collected round the gate, prepared to dispute their passing out. The Lascars formed themselves into a body, and made a rush; the Chinese gave way, and the party passed on. Having however to cross a very

a very broad muddy ditch by a narrow bridge, they were here again pressed upon. Wounds were given and received, and on gaining the opposite side of the ditch they found a seacunny missing. He had been last seen in the act of being dragged away by a number of Chinamen, who were beating and cutting him with bamboos and pikes. It being now dark, the officer in charge of the party considered it prudent to return to his ship; and when about half way to the beach, was met by a second party of about 30, coming up to his assistance. It was agreed, however, to return on board, ask the assistance of the whole fleet, land the following morning at daylight, and release the seacunny by force, if necessary. When the party got on board, they were dissuaded from making a second attempt until the captain of the Hercules was consulted. An express was immediately forwarded to Macao, to inform him of the circumstance. His reply was received on Monday evening, recommending our landing in force to insist on the release of the seacunny; and, if necessary, to seize Chinamen, boats, or anything we could lay hold of, as security for the man's safety, but not on any account to endanger life.

Tuesday morning 18 boats, from ships of five different nations, mustered alongside the Hercules, containing at least 250 men, of which about 50 were Europeans, all well armed. They proceeded in three divisions for the town, distant from the ships about four miles, and situated at the bottom of a deep bay. As the boats approached, several large shot were fired from guns planted on the walls of the town. When the boats were within long musket shot of the beach, they were drawn up in their stations. Two gentlemen then advanced in a gig, with a flag of truce flying; a multitude of people came down to resist the landing, and making very unfriendly demonstrations. At this moment a shower of round and grape shot was fired upon us from the walls of the town, several shot falling near the boats.

After considerable forbearance the fire was returned from some of the boats. The gentleman under whose orders we had placed ourselves ordered all the boats to retire, that he himself might advance, and again try a flag of truce. The gentleman in command then finding that nothing could be done without landing, and that, in the present irritated state of the feelings of our whole party, such a proceeding must be attended with much bloodshed, he considered it most prudent to withdraw, which was done accordingly.

It ought to be remarked, that these people are well known as a set of plunderers and pirates, robbing small boats, and even at times defying the mandarins; at least, we were told so by the people in the neighbourhood. During the time we were employed breaking up the Samarang, a boat's crew was always kept on board of her as a guard; and I have to note, that even after the attack on the town made on Tuesday morning, the Chinese continued to plunder the old ship.

Cum-sing-moon, 19 October 1833. (signed) *William M'Kay.*

The morning after my arrival at Cum-sing-moon, I caused a Chinese letter to be written to the mandarin of a war junk, which had arrived the preceding evening, and forwarded it by the chief officer, Mr. Parry, together with a letter written at my suggestion by the Chinese prisoner to his father at Kee-ou. Mr. Parry took an interpreter with him, for the purpose of explaining all the late outrages to the mandarin. The following are copies of the letters, and of a report made to me by Mr. Parry, on his return, of his communication with the mandarin:—

TRANSLATION of a Letter sent to the Mandarin of the War Junk anchored off Kee-ow, respecting the Release of our Seacunny, dated 18 October 1833.

A CHINAMAN was caught in the act of stealing iron and copper from the Samarang, brought on board the Hercules, and put in irons until the arrival of the captain. Next day a Lascar was seized on shore by Chinamen, and taken to the village; our people went to the village in search of the man, but were no sooner within range, than the inhabitants commenced firing shot. We have to request that you will inquire into the affair; and we promise, on the return of our man, to deliver up the thief to you for punishment.

Send an answer per bearer, and please to forward the accompanying letter on shore to the village, and receive and forward to us their answer.

MEMORANDUM of the Substance of a Letter written by the Prisoner to his Father and Partner, 18 October 1833.

WHEN on shore I was seized by the shipmen, and taken on board ship, my feet put in irons, and I was prevented moving about. Now, you have caught one of the shipmen when taking water. The shipmen only intended keeping me until the captain came on board, but now they will not let me go until you release the shipman. You must go and beg the headman to let the shipman loose, and you bring him here. If they do not release the shipman, I don't know what will become of me.

Written by *Yuen.*

To Captain *A. Grant.*

Sir,

HAVING been sent by you this evening with a letter addressed by you to the mandarin commanding the war junk at anchor off the village of Kee-ow, and also another letter to be delivered to the mandarin addressed by the prisoner, on board the Hercules, to his father, at Kee-ow, I, at your desire, annex the following detail of the conversation I had with the mandarin on the occasion:

Being alongside of the war junk, I rose from my seat to go up the side.

Mand.] What do you want here? Stop, don't come up,

E. Parry.] I have a letter to present.

Mand.] Very well, give it.

E. Parry.] I wish to present it myself; will you permit me to come up?

Mand.] Yes, certainly, now I understand you; come up.

E. Parry.] I went up, and was shown into a round-house aft, when the mandarin received my letter, and asked me to sit down; he was attended by four junior mandarins while he read the letter.

Mand.] I will go on shore to-morrow, and get your man back in exchange for ours, if you will give him up to me.

E. Parry.] Your man was caught in the act of stealing copper and iron; he is now on board our ship, victualled in the same way as our people; no harm has been done to him; he is merely confined in the usual way that thieves are; that letter is written by himself to his father.

Mand.] Very well, I'll see into it to-morrow; probably I may not be able to get him off early, but will get him to exchange with ours; the report is, that the man you have did not steal the iron and the copper, it was given him in exchange for spirits.

E. Parry.] You are misinformed; the man was caught stealing. We have a great number of men, and are able to take our man out by force, but we wish to be on peaceable terms, and not ill-use any one; it is entirely the fault of the men of this place. They took a Lascar of ours in the first instance, at the watering-place, bound him hands and feet, and carried him over to this town, and beat him severely all over his body; when we liberated him they seized a seacunny, and when we came to look for the seacunny, the batteries fired on us from all directions for a long time; we then went in a small boat towards the shore, expecting to meet some one to speak to, and in hopes of the man being given up civilly; they even then fired on that boat without provocation. They also, about two months ago, stole a number of articles from the ship on shore, to the value of 400 or 500 dollars. We have passed over all that without making any complaint to you; but now they have come down to steal our men, in the way I have described, it cannot be borne. I am well informed that all the former stolen property is deposited in this place.

Mand.] A large mandarin is coming down to-morrow; do you send me, or him, a statement of all the things you have lost, or that have been stolen from you.

E. Parry.] They stole at different times two anchors, a forge, 20 spars, a large quantity of plank and timber, sails, ropes, some copper and iron.

Mand.] Two of the Kee-ow men are severely wounded in the thigh and breast. I am doubtful of their living long; but never mind that, you shall have the man back.

One of his crew then said, "Here is one of the Kee-ow boats coming;" on which the mandarin said to me, "Stop a little; we may hear some news." When the men came alongside, the mandarin asked, What is he, and what does he want? They replied he had merely brought off firewood; he then ordered him on board. An old man came up and prostrated himself, knocking head, and the

mandarin

mandarin addressed him, saying, "There is no occasion; never mind that; what do you know about the foreign ship-man you have on shore?" *A.* He is not on shore at our place.—*Q.* Are you sure of that? *A.* Yes.—*Q.* But you have had him at your place? *A.* Yes, we let him go after the first night; he was let out of the town; we do not know where; he went before they came into this bay with their boats.—*Q.* How did the first skirmish take place? *A.* We fought against each other; this man (pointing to the interpreter) knows well; he was present. The mandarin then gave him the letter to the prisoner's father, saying, "Take this on shore, quick, and bring an answer." The mandarin then said to me, "This is not an usual place to lay long; I would rather you would go to Lintin, as the Tchunsuk is very angry."

E. Parry. We shall be going away soon. After taking a cup of tea, I got up, took my leave, and he attended me to the gangway.

I have, &c.

On board the ship Hercules, Cum-sing-moon, 18 October 1833. (signed) *E. Parry.*

19 October. The Rev. Mr. Gutzlaff having arrived on board the Hercules, went to-day, at my request, to the mandarin, for the purpose of claiming the performance of his promise, made yesterday, to restore the seacunny. He furnished the following note of the dialogue between himself and the mandarin, which Mr. Gutzlaff commenced by requesting a copy of the letter I had sent to the mandarin yesterday, and which he feared my Chinese writer had not expressed faithfully.

Question by Mr. *Gutzlaff.* Will you favour us with a copy of the letter we sent you yesterday?

Answer. I sent it up to my superiors; (after some hesitation) I have no copy.

Mr. *G.* We are come here to get our man, whom you promised to liberate to-day.

Mand. I did promise it, but the liberation of the man does not depend from me, but from my superiors.

Mr. *G.* This you knew yesterday as well as to-day, and therefore you have told us a lie.

Mand. Very true; you are an honest man; I told you a lie; however, a literary mandarin has taken upon himself the management of this affair, and told us that we military officers had no right to exercise any authority in a district under his jurisdiction.

Mr. *G.* According to the laws of the Middle Kingdom, military officers are sent to put down vagabonds and pirates; such are the inhabitants of Kee-ow, and therefore you are entitled by your rank and station you hold in the imperial navy to insist upon the restoration of this man.

Mand. Very right, but I must first receive orders from my superiors, and I shall act accordingly.

Mr. *G.* Did you not know this yesterday?

Mand. Yes, but I told you a lie; but to-morrow, or the day after to-morrow, the general officer will arrive, and the man will certainly be restored to you. Besides, the man is not to be found, and I was told he was already liberated.

Mr. *G.* Yesterday you broke your faith; how are we to believe your words to-day? No evasions! The man must be immediately restored.

Mand. I cannot restore him.

Mr. *G.* Please to write this down; if you cannot restore him, we must ourselves take measures to liberate him. All ye soldiers listen to my words (addressing the byestanders); if any injury is done to any man whilst we attempt to rescue our seacunny, this mandarin will be responsible. (Suddenly rose, and walked off.) Mandarin requested to stop.—*Answer.* No parley; we only wish you to liberate our man; this you refuse; we have nothing more to talk upon.

On Saturday morning the 19th instant, I sent Lew, a Fuhkeen man, on shore, in order to gain some information respecting our man; I then addressed the following note to the naval officer:

"A respectful communication. According to what was said yesterday, the military officers of your honourable station have not the power to order vagabonds to return the foreigner; but, on the contrary, permit the pirates of Kegaon to ill-

use and oppress foreigners; such a way of treating matters slightly has brought us into a great dilemma, and we will surely be obliged to redress the wrongs, and take revenge ourselves.

Therefore, will you respectfully inform the military officers of the said district, that if they do not hasten to liberate our man, we ourselves will exert our utmost power and endeavour to set the said man at liberty. You, Sir, will be responsible for the people's lives. We request now the favour of an answer; if not sent, we will consider the matter as finished, and know means to manage the affair.

This is plain. October 19th.

About eight this morning, the 20th instant, our spy returned, and reported that two Chinamen had been wounded in the thigh, and a third in the body; the latter was dangerously ill, and would, perhaps, die; that, in retaliation, the Chinese had stabbed one man in the chest, and then driven him away. Sent the spy back again for further intelligence.

On his return, about mid-day, he informed me that, on attempting to enter the village in order to inquire after our seacunny, he found it was surrounded by soldiers; he feared falling into their hands; but he heard, in conversation with several people, that our man was killed, and that the wounded Chinese were not dangerously ill.

Some Macao men, sent by the native authorities, came on board about noon to make a list of all the things stolen from us. I gave them a list, which immediately they wrote down in Chinese, and promised that the property should be restored. In reply to an inquiry about our man, they said, "We have received no orders upon that subject, nor do we know what has become of him. We are Macao pilots, and know nothing about the affair." I requested them to ask that an intelligent mandarin might be sent, with whom we could communicate freely; they promised to urge the request, and informed us that the admiral and a principal magistrate had arrived in the village to examine into the affair, in order that justice might be done to us. I again insisted upon having our man sent back, and told them that, comparatively with that object, we were indifferent about the things that had been stolen from us.

Desiring them to come speedily back, they left the ship in haste.

We then examined the Chinese whom we have in custody. At first, he refused to answer; then reprobates the idea of having stolen anything; confessed that he had exchanged some fish and fowls for the iron which was found upon him; at last he said that he did take some wood from the wreck, but did not steal it; that he also took some iron out of the wood, but he did not steal the iron.

Mr. Parry, who was sent by me to the mandarin boats with the letter written last night, returned at three P. M. without having delivered it, and gives the following statement of his proceedings:

When we were within about a mile of the two mandarin junks and a large mandarin oared boat, they weighed, and made sail, working to windward; we kept on towards one of the junks; when we came within hail, or nearly alongside, the crew on board the junk spoke to me and said, we must not come alongside, on account of the mandarin being on shore. I said, we had a letter to deliver; they answered, they could not receive it. We pulled up nearer, and asked them to receive the letter, and keep it until the mandarin came off; they answered, "No, no, we cannot receive the letter nor suffer you to come alongside, it being quite against our orders; do you take the letter on shore to Kee-ou, or you may, on your way, call on board the junk there, where you will likely find the mandarin with others who came in here this morning; do you go on shore without fear; don't be afraid." I again asked them to receive the letter, and they replied in nearly the same terms. We then pulled towards the shore, and went alongside a kind of a chop boat, which appeared to be full of men, and had a large white flag flying, with red characters on it; they called out, "Don't come up; what do you want?" I replied, "I have a letter for the mandarin; is there a mandarin in your boat?" They answered, "Yes, here is one." On this, one of the men received the letter, and in a few minutes brought it back, saying, they could not open it, and advised me to take it on shore, or to a junk that laid close into the town. We then left them, and pulled towards the junks at Kee-ou, with the intention of going alongside, but our boat grounded about a mile from the junk, which was lying dry; and, being unable to advance, we returned to the ship.

(signed) *E. Parry.*

I expect

I expect we shall have some further communication with the mandarins to-morrow, but in the meantime dispatch this detail of transactions, in which you are so deeply interested.

I remain, &c.
(signed) *A. Grant.*

(True copy.)
(signed) *A. Grant.*

Messrs. *Jardine, Matheson & Co.*

Gentlemen,

In continuation of my letter of the 20th instant, I now resume the relation of our proceedings on board the Hercules.

October 21st, at 11 P. M., prepared a copy of the communication which was sent yesterday, though not delivered, and is now to be forwarded by Messrs. Gutzlaff and Parry, with the following letter:

The letter enclosed was sent yesterday to your mandarins; two of them refused to receive or open it; and even your messengers, the pilots, to carry it. We consider this uncivilized conduct to be an aggravation of our injuries. We expect you to send our man back immediately; if you will not or cannot do this, we must pursue a different mode of getting redress. We do not approve of your sending such persons to us as the pilots, whose communications you may disavow; and, as it is likely that all this business will in the end become known to every one, we would wish you to communicate with us, as we do with you, by letter.

At three P. M. our party returned, and Mr. Gutzlaff handed me the following statement of their proceedings.

A messenger sent overland from the pilot boat had preceded us; and when we landed at the village, we were requested to wait till an order from the then commanding mandarin arrived; soldiers, with red jackets and white borders, drawn up in two rows, armed with matchlocks, spears, and pitchforks, perhaps 300 or 400 in number, through whom we had to pass to the temple, where the principal literary mandarin of Heengshan and the Heep Tae, commander of the military forces, were seated.

Question. What is your business? Are you a mandarin, or have you any business which entitles you to rank?

Answer. I come as your friend, anxious to settle the matter amicably; am no merchant.

Q. What are you?

A. There is no time for vain talk; my simple message is to have the man, whom these ruffians took by force, back.

Literary Mandarin. This island is under my jurisdiction; I am sent here to investigate the matter, but I know nothing about him; he was very drunk, and courageous by force of liquor.

A. If you are sent here to investigate the matter, you must surely know what has become of him. We want our man, and the business will be finished.

Military Mandarin. We really no not know what has become of him.

A. If that is the case, we want a written declaration in order to prosecute the case at Canton; we are informed by good authority that the people of Kee-ow stabbed him; this being the case, we wish for your official explanation upon this subject.

Mil. Mand. This may be the case, but I am ignorant of it; but you have assaulted the village, and killed and wounded; one man has died in consequence of the wounds received; how can you ask for justice?

A. That one man has died in consequence of wounds is a lie.

Mil. Mand. I am an honest man and do not talk lies.

A. You may have been misinformed, since the people about you are liars; but no man has died in consequence of wounds.

Mil. Mand. This may be the case, but we have no power to deliver up to you the man; we expect by and by the superior mandarin; he will perhaps make some researches.

Q. I ask you again, can you deliver our man or not? Answer me directly.

A. We cannot; this does not depend upon us.

Reply. Then you are not the proper authority to whom we can apply in order

to have justice done unto us, and to get our man back, or to receive an official paper, stating that he has been killed; we are therefore obliged to refer to the Canton government for redress, since you cannot give it, nor furnish us (though you are sent on purpose) with a document relative to the case.

Arose, made a bow, and went away. The soldiers had left their posts, and were straggling about; the inhabitants of the village had withdrawn; we had seen some militia, armed with pitchforks and spears, dispersed quietly. Pilot sent after us in great agitation, inquiring whether we would push the matter, and prosecute the parties concerned?

A. Had nothing to do with him, but with the authorities, who were sent here on purpose.

Pilot told us before that the mandarins would not touch the inhabitants, because they were too poor; retracted the above-mentioned assertion of the punishment inflicted; thought it a bad business; wanted to be exempted from having anything to do with it, and requested our interference to that purpose. Saw that he was forced to come on board; returned on board. Guns fired from the city when our boats were coming away.

October 22d, 1833.

In the morning, sent our spy Lew on shore to gain information; he returned about noon, and said that he had spoken with several of the villagers; they told him that the inhabitants, after having been attacked by your boats, had sent a message to the mandarins at Heang-shan, requesting them to garrison the island, lest the barbarians take possession of it. In consequence of this request, the military force had arrived; but having ascertained that the barbarians were not prompted by a desire of conquest, but were only quarrelling about a man, whom they had lost on the island, they determined to leave the place, scolding the natives for having told them a lie, and occasioned useless trouble. The literary mandarin, therefore, departed, and the Heep Tae is merely waiting for the tide in order to return to his station. Nobody has been punished, nor has anybody been examined before the magistrate. The three wounded men are out of danger, and almost recovered. Regarding our own man, the natives maintained a mournful silence; they asserted that he was stabbed, but would not enter into any particulars. The head man of the village had prohibited the natives, under the most severe penalty, from mentioning the particulars of the poor man's death; however, they all admitted that he had been stabbed; could learn nothing about the way in which he had been buried, but only learned that the mandarins had not shown the least inclination to investigate the matter, and that therefore the whole affair remained in the dark.

Yesterday, we were told that the sole object of the mandarins in coming hither was to investigate the matter to the bottom; to-day we hear, and from more veracious sources, that they are come to defend the island against barbarians. We were told by the mandarins that 24 people had been punished yesterday, and are to-day informed upon good authority that the mandarins had even not entered upon an examination; we were told that justice should be done unto us, whilst the mandarins in reality consider the whole matter as a mere squabble, unworthy of their notice.

Again examined Lew about our man; said that he could only thus far learn that the villagers were prohibited from divulging the matter, for fear that we might retaliate upon the man we keep in irons, as soon as we learned the particulars of the murder, and felt ourselves justified in revenging the death of our sailor.

Three o'clock. Sent our man again on shore. Reported that he had spoken to five villagers, who said that the man had been killed by some vagabonds; but they knew nothing about the way in which he had been killed, nor would they give any information; were earnestly desired to state the fact, but obstinately refused, on the plea of ignorance of the whole affair.

Hercules, 22 October 1833. (signed) *A. Grant.*

(A true copy.)

(signed) *A. Grant.*

EXTRACT CANTON FACTORY CONSULTATION, 25 October 1833.

Consultation, full Committee.

THE committee assembled to take into consideration the steps to be pursued on the subject of the edict from the Viceroy and the despatch from Captain Grant.

We have now sufficient matter before us to enable us to form a correct judgment as to the line of conduct which it is incumbent upon us to pursue in this affair. We are fully impressed how cautious we must be, lest by admissions on our part we become involved with the Government in matters connected with the opium ships. It has hitherto been our policy, as well as our interest, to profess ourselves ignorant of all that passes without the Bogue, and not to interfere with quarrels and disturbances which arise between these vessels and the natives; but we fear the time has been gradually approaching, and has now arrived, when this system of non-interference has reared up a power and encouraged a lawless and piratical mode of procedure, which it is absolutely incumbent upon us to put down.

Could we be justified in allowing an authority such as we possess, supported by specific Acts of the Legislature as well as by reason and justice, to be rendered inoperative and worse than useless, which assuredly it is, if we, the representatives of the East India Company, the only recognized authority in China, quietly hear of these proceedings and take no cognizance thereof, it is impossible to say to what extent these acts may not be carried, or whether the very existence of the legal trade may not be endangered by them. Even supposing that in this instance the Chinese were altogether in the wrong (which does not at all appear from Capt. Grant's statements, added to which other accounts have privately, and on good authority, reached us, which greatly aggravate the case), it was highly impolitic to enter into an ill-digested plan for storming a village, whereby the assailants were defeated, and the real incapacity of the opium vessels as warlike instruments too clearly evinced; and let it not be forgotten that a victory on the part of the Chinese over foreigners is ever remembered, and does incalculable injury to our national character. It is to this rash and intemperate conduct that must be attributed the death of the unfortunate seacunny. With what degree of justice, either, is the Chinese detained as a prisoner on board the Hercules? It is not likely that his detention will be productive of any good effect. If the Chinese authorities proceed further into the business, it will be because a seacunny has lost his life, and, as is their general custom, would willingly execute the murderers, as those are denominated who kill others in an affray, without being able, or caring, to ascertain who were the aggressors.

After a most mature consideration of all that has come before us in this matter, we most reluctantly arrive at the conclusion that there has been pursued by Captain Grant a series of unjustifiable acts, amounting, we might almost say, to piratical conduct, which render him altogether unworthy of the command of any British vessel. We shall therefore inform him, that we consider him amenable to the forfeiture of his indenture, and the ship of her licence. We shall desire him immediately to release the Chinese he has imprisoned, and to remove the Hercules from the Cum-sing-moon anchorage; and however reluctantly we may consider it our duty to deprive him of his licence, we are resolved to do so if our orders are not most strictly complied with. The following letter is addressed by our secretary to Capt. Grant.

In our reply to the Viceroy, we write in general terms, urging the inconsistency of his applying to us on a subject relating to the illicit trade carried on outside the port without molestation on the part of Government, and with which the Company have no connexion, and merely informing him of the report which has reached us from the Cum-sing-moon, which we submit to him in compliance with his Excellency's wish. We annex a copy of our address to the Viceroy, which will be sent as soon as translated; it bears this day's date, and we shall present it to the merchants at the same time as we forward our letter to Captain Grant.

Captain *Grant*, Master of the Ship Hercules.

Sir,

I am directed by the President and Select Committee to inform you, that they have carefully perused the statement received from you of the recent occurrences

in the Cum-sing-moon; and although your account differs very widely from that of the Chinese Government, it appears by the statement from the Hercules that the aggression originated with that ship, and not with the Chinese. A native was seized on shore at Kee-ow, under an accusation of stealing nails from a hulk, and was carried on board the Hercules, where he was put in irons and kept prisoner. After the lapse of some time, the Chinese, in retaliation, seized a Lascar who was watching the hulk on shore. Mr. Parry, a mate of the Hercules, proceeded to a village with an armed party, and obtained the liberation of the Lascar, but in a severe conflict which ensued with the Chinese, a seacunny was seen by the party to be badly wounded or killed, while they were being driven back to their boats by the natives.

2. On a subsequent day you issued orders that a stronger party, which consisted of 18 boats, and 250 men armed, should again proceed to the village to rescue, as it is stated, the seacunny, although you abstained from appearing personally. This party could not effect a landing, from the fire which was kept up on them by the Chinese, but after shots had been exchanged, by which three Chinese were wounded, one of them dangerously, thought it prudent to retire. During the whole of these proceedings the Chinese accused of theft was detained prisoner in irons on board the Hercules.

3. The President and Select Committee cannot refrain from observing, that for some time past you have rendered yourself and the Hercules notorious for acts of aggression and violence, while no complaint has appeared against any other ship connected with the opium trade. It is the more reprehensible on your part from the fact of your assuming the command over vessels consigned to your owners, Messrs. Jardine, Matheson & Co., and others connected with them in the Cum-sing-moon, and issuing orders for assistance in attacks on the natives, consequent upon the course of aggressive conduct which you have commenced, but in which you have been effectually opposed by the Chinese, and by which the death of a seacunny has unfortunately taken place. The whole course of your proceedings regarding the Samarang can only be viewed as a provocation to the Chinese, by which you appear to have been brought into collision with them, inducing acts of open hostility and bloodshed.

4. Such acts of aggression and violence render the Hercules under your command amenable to the forfeiture of the licence under which that ship remains in China, and yourself amenable to the forfeiture of your indentures. All other ships under the English flag which assisted in the above attacks have likewise become subject to similar consequences.

5. The President and Select Committee cannot refrain from condemning the language reported in your statement to have been made use of by Mr. Gutzlaff in his interviews with the mandarins; it could tend to no possible end but angry excitement and hostility, and, under the circumstances of the case, the threats made use of, and accusations of murder and piracy against the Chinese, appear altogether misplaced.

6. You are hereby directed instantly to release the native so long detained prisoner on board the Hercules on an accusation of theft, he being entirely innocent of any participation in these affrays; and you are further commanded immediately to remove the Hercules from her anchorage in the Cum-sing-moon.

I am, &c.

Canton, 27 October 1833. (signed) *J. H. Astell*, Secretary.

To his Excellency the Viceroy of Canton.

We have the honour to reply to your Excellency's address of 13th y. 9th m. 10th d. (22d October).

Your Excellency is doubtless aware that we are in no way connected with the operations of the opium ships carrying on their trade in Lintin and its vicinity, without molestation or interference on the part of the officers of the Canton Government, who alone are the proper authorities to put in force the laws of the Chinese Empire.

We have received a report from the Cum-sing-moon, the particulars of which differ widely from the statement reported to your Excellency. A Chinese stealing copper and iron from a stranded vessel, was seized, and imprisoned on board a ship; the Chinese at Kee-ow retaliated by seizing a Lascar sailor. A party proceeded

ceeded on shore to rescue the Lascar, an affray ensued, in which a foreign sailor was severely wounded, or killed, by a Chinese, and has not yet been heard of since. No doubt your Excellency has instituted an inquiry to restore the sailor if he be living, or to ascertain the mode of his death, and inflict punishment on the guilty. This is the report, which we, in compliance with your Excellency's wish, now submit to you.

(signed) By the President for the Committee.

Extract Canton Factory Consultations, 28 October 1833.

In addition to our letter through our secretary to Captain Grant, we desire all the other ships may be ordered to quit the Cum-sing-moon, and accordingly address the following to the same purport to all that are at anchor there.

To Captain M'Kay, master of the ship John Biggen.
— Thomas, — Colonel Young.
— Carr, — Mangles.
— Wenstone, — Falcon.

Sir,

In consequence of the late disturbances which have occurred at the Cum-sing-moon, I am directed by the President and Select Committee to convey to you their orders immediately on the receipt of this to remove the ship under your command from that anchorage.

I am, &c.

Canton, 28 October 1833. (signed) *J. H. Astell*, Secretary.

An opportunity occurring of writing to the Governor-General, per Sylph, which vessel's licence we have just returned, we avail ourselves of the same, and direct our secretary to address the following letter to Mr. Secretary Bushby, enclosing all the papers and correspondence which has transpired on the subject of the disturbance at Cum-sing-moon.

G. A. Bushby, Esq., Officiating Secretary to Government, Fort William.

Sir,

I am directed by the President and Select Committee to acknowledge the receipt of your letter to Mr. Secretary Lindsay, dated the 5th August, on the subject of their withholding for a time the licence of the barque Sylph, and to express to you the satisfaction that they derive in the assurance of the support of the Right Honourable the Governor-General in Council in upholding their authority over ships and persons resorting to China.

2. The President and Select Committee are anxious to receive the decision of the Advocate-general in Bengal on the legal question submitted to him on the liabilities of commanders who discharge British seamen from their vessels who had been shipped in this country. They are happy to observe that during the present voyage of the Sylph, now on her return to Calcutta, they have had no irregularities to complain of.

3. With Mr. Secretary Lindsay's last letter to you, of the 28th of August, were forwarded, for the information of the Right Honourable the Governor-General in Council, copies of all the correspondence which had passed between Captain Grant, master of the Hercules, and the Select Committee, which led to the suspension of that ship's licence.

4. In continuation of this subject, and in connexion with the line of contumacious conduct pursued by Captain Grant, and by his owners, Messrs. Jardine, Matheson & Co., I have the honour to forward copies (No. 1 to 3), of the correspondence which has ensued, as well as edicts which have emanated from the Chinese Government on two more recent occasions.

5. With reference to the first of these, as it has now happily passed over without involving the Select Committee with the Chinese Government to the detriment of their trade, it is unnecessary, in forwarding these documents, to comment upon them; the facts of the case will speak for themselves, and can produce but one opinion as to the highly culpable conduct of Captain Grant.

The papers connected with this subject are Nos. 4 to 23.

 6. On

6. On the 19th of this month the President and Select Committee received from the Chinese local authorities two communications, stating that a native had been taken prisoner in an affray with the crew of the Hercules, at Cum-sing-moon; these were speedily followed by a letter from the Viceroy, requesting explanation and satisfaction. I was accordingly desired to require from Captain Grant a full explanation of all that had occurred, and his reply, with its enclosure, will accompany this. It will be observed, that although the account given by Captain Grant differs with that of the Viceroy, it is too evident that the whole affair was conducted in the most unjustifiable manner, and that owing to the great want of judgment displayed, and the unnecessary excitement created on the part of the Chinese, is to be attributed the defeat that the party sustained, and the loss of the seacunny's life.

7. At this stage of the proceeding, I have been directed to address Captain Grant, pointing out to him the view which the President and Select Committee have taken of his conduct, as narrated by himself, and ordering him immediately to release his prisoner and remove the Hercules from her present anchorage. We shall be guided by circumstances as to what course it may be considered hereafter necessary to adopt, but the President and Select Committee are fully convinced of the necessity of using their authority in controlling the acts of British subjects trading here under the East India Company's licence; and it is to be feared that in some degree the laxity which has been shown has encouraged these parties to behave in such a lawless and outrageous manner. The papers connected with this subject are lettered A. to F.

8. As it is probable that other accounts, tending to exculpate the conduct of Captain Grant in his proceeding on this occasion, may reach Calcutta, I am directed to acquaint you, that during the last day or two several private accounts from eye-witnesses, and particularly one from a gentleman in Her Majesty's service, have been voluntarily afforded, and from these there can be no doubt that the public statement of Captain Grant gives a very prejudiced and incorrect narrative of his mode of proceeding; it is said by the gentleman above referred to that the party in the first landing set fire to a village, which burnt nearly the whole of one night, and the commission of this outrage rendered the natives infuriate in attacking and repelling the party from the Hercules.

The President and Select Committee will not fail to place his Lordship in Council in possession of a statement of all that hereafter occurs regarding this affair by a subsequent opportunity.

I have, &c.

Canton, 28 October 1833. (signed) *J. H. Astell*, Secretary.

EXTRACT CANTON FACTORY CONSULTATIONS, 29th October 1833.

THE following documents were delivered to us a few days ago; they are just translated, and we record them under this date. In the edict from the Viceroy is stated the result of the inquiry into the Cum-sing-moon affray, instituted by the Chinese Government, in which the death of the seacunny is acknowledged.

I, Teen, appointed by recommendation Heen of Heang-shan, &c. &c., make known my orders to the English chief. I have receiv ed a petition from Sun-chin-meen, an inhabitant of the western Potow village, in which he states, that on the third day of the present month, about 10 o'clock in the forenoon, as he and his younger brother Sun-a-Foh were sitting in their boat fishing, in front of the village of Ke-ow, they were surprised by a number of foreign ships' boats, to the number of ten and upwards, sailing in towards the village, accompanied by discharges of musketry and guns, and that before they could escape out of the way Sun-a-Foh was wounded with a musket-shot by one of the foreigners, in consequence whereof he calls upon me to inquire into the case, and prosecute the culprits.

On looking into the circumstances of the report, I find, that in consequence of a former petition relative to foreigners having landed on the coast, and wounded natives, orders have already been issued for the foreign murderer to be delivered up, which orders have not been attended to; but, in the face of them, the same foreigners have again had the presumption to enter the inner waters in their boats, and have repeated their former acts of violence, showing an utter contempt for the laws. It is incumbent on me once more to promulgate my orders, and let the chief, on the receipt of them, instantly inquire, and find out

who

who were the men who, on the two occasions referred to, made use of muskets and committed violence. Let him place them in confinement, to await the result of my examination into the case, when the proper measures will be adopted in regard to them; and, furthermore, let him directly set at liberty the man Ko-ning-tsew, who was seized on a previous occasion, and let him strictly prohibit for the future any boats from entering the inner waters, and giving rise to disturbances. If after this they are again refractory and disobedient, I am resolved to represent it instantly to the high authorities, that they may prosecute the affair according to the established laws. Be assured I will not show the slightest indulgence. Haste! haste!—A special edict.

Taon-Kwang, 13th year, 9th moon, 9th day. } 21 October.

I, Hwang, specially appointed Heen of Nan-Hae, &c. &c., make known my orders to the Hong merchants, in reference to a case that has been referred to me by the Heen of Keang-shan. It appears that a petition had been laid before him, stating, that on the 1st of the 9th month a party of foreigners entered the village of Ke-oo, and compelled them, by force, to sell sundry articles, and, presuming upon barbarous strength, seized Ko-ning-tsew, fired muskets, and wounded a man called Hwang-a-neang, and stole four bullocks. He had personally examined the wounded man, and the circumstances had been duly recorded; but finding that the foreign chief was residing at Shik-sun-hang, he has requested me, as officer of the district, to send instructions to the foreign chief, calling on him to issue strict orders to all the foreigners to avoid disorderly conduct, at the same time to ascertain the nation, names, and surnames of those men who were concerned in the disturbance at Ke-oo, calling on him likewise for the delivery of the man who was seized, Ko-ming-tsew, and also the murderous foreigners, that they may be brought up for examination. In compliance with the foregoing, I issue my orders, &c. &c. Let the two men be sent to my office, whence they will be transferred to the Keang-shan-heen for trial. This is an affair of serious importance, and must not be lightly regarded. Haste! haste!—These are my orders.

Taon-Kwang, 13th year, 9th moon, 12th day. } 24 October.

On the same day a chop from the Hoppo, quoting word for word the Viceroy's, under date the 22d, and continues thus:—"His Excellency the Viceroy has now applied to the Admiral, requesting him to order vessels of war all along the coast, to maintain a strict guard, and prevent any renewal of disturbances, and I, the Hoppo, in accordance with the communication I have received, issue orders to the Hong merchants to call upon the chief of the English nation for a clear detail of the number of persons who landed and entered the village of Ke-oo, and for the reason they have to give for seizing Ko-ming-tsew, and wounding Hwang-a-peang, and let the foreign murderer be delivered into the hands of the local officers of government. Let there be no attempt at disguising the truth, or making delay. Haste! haste!—A special order.

Taon-Kwang, 13th year, 9th moon, 12th day. } 24 October.

I, Loo, Viceroy of the two Kwangs, &c. &c., issue my orders to the Hong merchants. I have this day received the report of the acting Heen of Heang-shan, named Teen-po. His words are as follows: "Having assembled the military and civil officers according to your order, to form a court of inquiry into the case concerning some foreigners having wounded a Chinese of the name of Hwang-a-neang, and carried off prisoner Ko-ning-tsew, we went with all dispatch to carry your instructions into effect, but learnt in the meanwhile that a Chinese had killed a foreigner and concealed the body. These circumstances formed the subject of a previous report to your Excellency. On the 9th and 10th days of the present month we proceeded to investigate the affair, and took into custody the following culprits and witnesses: Soo-shang-pin alias Soo-a-tseem, Tsae-a-ho, Chung-tsun-tsum, Chung-a-yuen, Chung-foh-quen, Tang-a-paon, Taou-a-qou, and Tsae-sze-peang. After minute examination for two successive days, I have elicited these facts, that Soo-shang-pin, about the time of noon, on the 1st of the month, was, in company with three of the others named, fishing in a

bay at the foot of Kum-sing Hill, when they heard Ko-ying-twain's son, Ko-a-treang, crying out that foreigners had stolen a bullock. Soo-shang-pin and his companions upon this ran up the hill, whence they descried the foreigners in the act of dragging away a bullock. They pursued and caught the foreigners, and brought them into the village, but the policeman of that station, Tsae-sye-neang, said that as they were foreigners, he could not deliver them over to the mandarins; and therefore ordered Soo-shang-pin to take them back and let them go.

About four o'clock in the afternoon the foreigners returned to the shore in a crowd of not less than 50 and challenged the villagers to fight. The whole village being alarmed, came out to oppose them, when the foreigners, on seeing such great numbers collected, took to their heels and made off, with the exception of one man who was left behind (his name I cannot learn). Soo-shang-pin, Tsae-a-ho, and two others rushed altogether upon this man, and he, when he perceived them close upon him, turned round and defended himself with a cutlass. Soo-shang-pin was armed with a knife, with which he attacked and wounded the foreigner in the left wrist. The foreigner next engaged Tsae-a-ho, and Chung-tsenn-quen with his musket, when he received a wound in the right shoulder from Tsae-a-ho, who was armed with a wooden club, whilst Chung-tsenn-quen, with a similar weapon, beat him across the shins; Chung-a-yow meantime struck him a blow with his fist in his left eye, and when he still continued to strike at Soo-shang-pin this man struck him with his knife in the belly and then knocked him down upon the ground, when he shortly after expired. After this, Tsae-a-ho and the rest of the party ran away home, whilst Soo-shang-pin stripped the dead man of his cutlass and musket, and then resolved on taking the corpse and burying it, so that no traces of the murder might be discovered. For this purpose he gave 1,600 cash to six of the village men to take up the body and carry it out to a sand-hill at the back of the village to the southward, and bury it. But a very short time afterwards, from apprehensions of discovery, he disinterred the dead body and hired three of the villagers for 600 cash to put it on board a boat, run out into the deep sea, and toss it over board. This being done, they all dispersed.

At the time of the foreigners' retreat, after challenging the village to fight, they perceived a Chinese named Ko-ming-tsew, with a labourer of the name of Hwang-a-neang, working in the fields; they ran up to him, seized him, and carried him off prisoner to their ship, and wounded Hwang-a-neang with a musket for hallooing out for help. Two days subsequently to this the foreigners again came in increased numbers to the village to get back their countryman. They opened a fire with musketry and guns, and did considerable damage to the houses. But upon the whole village, men and women, turning out in great numbers to guard and protect their dwellings, the foreigners turned round and went away. It happened just at this time that a fisherman called Sun-a-foh was coming across to sell his cargo, when he was shot at and wounded by the foreigners. This, then, is the state of the case; these are the causes and the circumstances of the disturbance which has ended in the loss of life. I sent immediate orders for the production of the cutlass, the musket, and shot taken by Soo-shang-pin, and after examining them I had them packed in a case, affixed my official seal thereto, and deposited them in the treasury, and sent off a runner and policeman to drag for the body; but, owing to the length of time that had elapsed, the body had floated away and could not be found. I next dispatched a pilot to communicate my orders to the foreigners, to the effect that I had fully examined into the case, and that justice should be done upon the criminals, at the same time ordering them to deliver up the Chinese Ko-hing-tsew. The foreigners represented, in reply, that their captain having gone up to Canton, they could not take upon themselves the responsibility of letting the man go. Since then I have again had all those concerned before me, and have minutely investigated the real circumstances which led to a loss of life; besides which, it is right to report the evidence of the several prisoners that your Excellency may act, and I humbly entreat your Excellency to issue instructions to the Hong merchants to command the chief to send instant orders for the liberation of Ko-hing-tsew, and likewise for the institution of an inquiry for the purpose of discovering who it was that wounded the Chinese, and that the same be placed in confinement; if the Chinese die of his wounds, it will then become necessary that the murderer be delivered up for capital punishment. Thus will justice be maintained.

Such

Such is the statement laid before me (the Viceroy,) by the Heen and Hie of Heang-shan, from which it appears, first, that the foreigners have had a fray with the villagers of Ke-oo. I have already deputed Le-tun-nee, a supernumerary Ting-pan, to go to the spot, and inquire into the facts; and ordered the Hong merchants to convey my commands to the chief in reference thereto, as it duly recorded. Now it appears, from the present statement, that Soo-shang-pin, and others, excited by foreigners, having seized a bullock, and afterwards challenged them to fight, have caused the death of a foreigner; the culprits and witnesses have accordingly been all taken into custody, but that the man seized by the foreigners, Ho-hing-tsew, has not up to this time been set at liberty, and moreover that the captain of the ship has come up to Canton, doubtless for the purpose of reporting to the chief, that he may represent the case. I feel it right immediately, whilst he is close at hand, to issue orders for the release of the man. Besides putting the case into the hands of the An-cha-sze, that he may send orders to the Kum-him-foo, at Macao, and the Heang-shan-heen, to try the case, and act accordingly. I hereby make known my commands to the Hong merchants, for immediate communication to the chief, in order that he may inform the captain of the ship that the Chinese who was the cause of the foreigner's death, and who afterwards threw away the body, shall be prosecuted, and tried in accordance with the laws: but that the man who has been seized, namely, Ko-ming-tsew, is a common man, who was not involved in the fray, and that he is in no way guilty. He must therefore be forthwith released, and at the same time the murderous foreigner who wounded a Chinese must be discovered, and placed in confinement; and if the Chinese die in consequence of his wounds, it will then be required that the murderer pay the penalty of his crime. In apportioning the several degrees of punishment to the degrees of crime, the principles of reason and the even justice of the laws are manifested. The captain of the ship referred to must pay implicit obedience, and lose no time in fulfilling all that I have ordered; so that, proper evidence being brought forward, the murderer, Soo-shang-pin, may at an early day be brought to trial, and his fate decided. Let there not be the least opposition nor trifling, no slackness nor procrastination. These are my urgent commands.

Tan-Kwang,
13th year, 9th moon, 15th day. } 27 October 1833.

We have just received the following letter and enclosure from Captain Grant, in reply to that forwarded to him on the 27th instant. It is needless to comment on the style of this communication; he acquiesces, though indirectly, with our orders to move the Hercules, and he argues on the affair in a manner which is not supported by his own statement, and far less so by the accounts which have appeared from other quarters:—

J. H. Astell, Esq., Secretary.

Sir,

In reply to your letter of yesterday, and with reference to the commands therein conveyed, I have to acquaint you that the ship Hercules, having been prepared some days ago to remove to Lintin, shall, if not already gone, be removed accordingly, and that the thief confined on board of her shall, as the Committee orders, be discharged. It appears by the annexed communication received yesterday from the first officer, that the Chinese at Kee-ow acknowledge our seacunny has been murdered; and it has also come to my knowledge this day, from the best authority, that our detention of the thief has caused the viceroy to arrest the murderers. It is therefore obvious that my part, in endeavouring, by the means of this hostage, to obtain the liberation of our seacunny if alive, or an avowal of his murder if dead, is at length fulfilled, and that the duty of obtaining justice is now a national one, in which I have only an individual concern.

I shall close the acknowledgment of your letter without further expression of the sentiments it is calculated to excite, than is conveyed in my unqualified disavowal of the conduct imputed to me by the Committee. The grounds on which it declares that "I for some time past have rendered myself and the Hercules notorious for acts of aggression and violence," are, I believe, all comprised in the present occasion, and one former case, when a thief (likewise taken in the fact,) was confined on board for a few days. In adopting this, our only mode of checking plunder, in a country where there is no appeal to the laws but through the

intervention of a body which declines intervention, or only interferes against us, I was, as I conceive, performing a simple duty to the owners of the property committed to my care.

I am, &c.

Canton, Monday, 28 October 1833. (signed) *A. Grant.*

(Copy.)

At 9 A.M. the pilots came on board, with a message from the mandarins to have the Chinaman given up, and to communicate to us the result of their investigation.

They state that the mandarins, after having tortured 24 of the Kee-ou men, have found that two of these men killed our seacunny, and that four others were employed by the murderers to throw the body into the water; these six men were deposited in the gaol of Heong-shan yesterday.

The mandarins sent out three boats to search for the body, but they returned without success.

Ship Hercules, Cum-sing-moon, 24 October 1833.

EXTRACT CANTON FACTORY CONSULTATIONS, 1 November 1833.

To *G. A. Bushby*, Esq., Officiating Secretary to Government.

Sir,

IN continuation of the subject of my letter dated the 28th ultimo, per Sylph, a duplicate of which accompanies this despatch, I am directed by the President and Select Committee to forward, for the information of the Right Honourable the Governor-General in Council, such documents (Nos. 1 to 5,) as have since appeared in reference to Captain Grant and the affray with the Chinese at Cum-sing-moon.

2. The President and Select Committee are in hopes that no further notice of this disturbance will be taken by the Chinese Government. The fact of an affray originating with the opium ships, and of a seacunny having been killed, and no life being sacrificed on the other side, is a sufficient reason, without weighing the merits of the case, to deter the mandarins from prosecuting an investigation.

I have, &c.

Canton, 1 November 1833. (signed) *J. H. Astell,* Secretary.

EXTRACT CANTON FACTORY CONSULTATION, 4 and 5 November 1833.

4th November.—Consultation: The President and Mr. Daniell.

THE Hong merchants requested us to meet them this morning, and produced an edict from the Viceroy, in reply to our last communication. They also delivered one from the Hong Shan-heen, stating that the Chinese who was wounded at Cum-sing-moon had since died, and that the murderers were required to be delivered up for examination and punishment. We informed them that these documents would be translated, and we would then deliberate on their contents, and did not enter further on the subject.

5th November 1833.—The following are the documents which were delivered to us yesterday:

Governor Loo, concerning the Cum-sing-moon affray, dated 3d November 1833, received 4th November 1833.

Loo, &c. &c. Governor of the two Kwang provinces (Kwang-tung and Kwang-se), to the Hong merchants.

It is authenticated that Plowden and others, the chief, &c. of the English nation, have represented as follows:—

[*Here follows a transcript of the Committee's Letter of the 25th instant.*]

This

This coming before me, the Governor, I examine into what the said [chief and others say about the various ships anchored at Lintin, not at all implicating the Company; but the foreign ships anchored at Lintin are all ships of the English nation; and the Celestial Empire's fixed rule concerning foreign ships anchored on the coast of China is, that if any matter arise between Chinese and foreigners, who do not understand each other's languages, an order shall always be issued by the Government to the Hong merchants, to inform the said chief that he may enjoin the order, and make the business clearly known to the foreigners. Although there are things in which a difference is to be made between Chinese and foreigners, still there is a right and wrong in everything, and a crooked and a straight in all reasoning, in which the whole world are agreed.

In the present case, according to the report of the civil and military officers of Heang-shan district, Weishun's country ship anchored at Cum-sing-moon, entered Ke-ow village, made a disturbance, wounded a man, and seized a villager, Ko-ming-tsew. I, the Governor, immediately perceived that there must be a cause, and therefore sent an officer to the spot, to join with the civil and military officers of the district to inquire distinctly into the origin of the bloody affray, that with discrimination a prosecution might be instituted.

At the same time I ordered the Hong merchants to communicate my orders to the said chief, to enjoin it upon the country ship captain, Weichun, to let go the villager he had seized, and wait till the matter was inquired into. This is on record.

Afterwards the Heang-shan magistrate reported distinctly, that in consequence of the foreigners landing, entering the village, and wanting to plunder them of a buffalo, the buffalo boy cried out, and all the villagers having assembled, seized a foreigner, Man-le-yang-rea, and beat him till he died; after which they cast him into the sea.

On the 3d of the present moon the foreigner Maké (Captain M'Kay) headed a great many foreigners, went to the village, attacked them with guns, and seized a villager, Ko-ming-tsew, and wounded with muskets and guns two men. Already has the said Heang magistrate seized the principal and assistant murderers, who put to their hands to cause the death of the foreigner, and those who carried away the corpse, and has put them into confinement, to be prosecuted; also ordering the foreigners to let go the villager without regard to the report that the foreigner Maké had on the 10th gone to Canton to lodge an accusation. The official messenger sent has also returned to Canton, and given in a report corresponding with the above.

Now, looking over the chief's representations, that he had heard that a native had stolen copper and iron materials from a rotten ship cast ashore in a gale, and that that was the origin of the affray, the murderous offenders who caused the death of a foreigner have been found out, seized, and put in custody by the Heang magistrate; and who it was among the said villagers who stole the nails will easily be ascertained, that they may be seized and prosecuted; but Ko-ming-tsew, who was seized (by the foreigners), is wholly an innocent man.

The Celestial Empire's laws are, he who kills a man shall forfeit his own life; he who wounds a man, or steals or robs, shall be punished according to the slightness or severity of the wound, or the amount of property, whether little or much, which he has stolen. For all these cases there are perspicuous clauses in the law; but an innocent man cannot be seized and involved on account of the offender. This principle is the same throughout the whole world.

At present, at my office, it has not been authenticated what the said foreigner Maké alleged in accusation. As this foreigner came to Canton city, he must have gone to the foreign factory, and thrown in his statement. It is right that I immediately hasten to order the liberation of Ko-ming-tsew.

Beside issuing the above proclamation, I hereby order the said Hong merchants to enjoin this order as soon as it reaches them on the said chief, requiring him to take the reasonable principles of my proclamation, and order the said foreigner Maké to hasten and liberate Ko-ming-tsew; and still further, find out the foreigner who at the village fired muskets and guns, which wounded men, and deliver him up at the foreign factories to wait for a prosecution of the case.

The said chief should consider the gracious tenderness of the Celestial Empire,

and the virtuous compassion which I show to strangers. The said country ship belongs to a nation dependent on England, and the chief is especially appointed to reside at Canton, and superintend all affairs, by the Honourable Kung-pan,* and should yield obedience, and perspicuously order the said foreigner to act obediently. Do not make excuses, and render unavailing the intense intention of my patient, anxious, and reasonable commands.] A special order.

Tuon-Kwang,
13th year, 9th moon, 22d day.

Note.—The document given in by the merchants of the 2d instant, is a copy of the proclamation, beginning at the words, "the said chief," &c., and ending at 'commands." Being verbatim the same as the above, it is unnecessary to translate it again.

From the Heang-shan-heen, dated 1st November, received 4th, 1833.

TEEN, appointed, by Imperial sanction, to the office of Heang-shan magistrate, hereby issues his orders to the English chief, requiring him to inform himself fully of the contents hereof.

In the present case, the villagers of Ke-ow belonging to this Hien, have at different times reported, that on the 1st and 3d days of the 9th moon (the 13th and 15th October), English foreigners belonging to country ships landed, went to the village, made a disturbance, and having seized, carried off a villager, named Ko-ming-tsew, and at different times wounded Hwang-a-yang, Jun-a-fuh, &c. At the time their wounds were examined by government officers, and orders given to afford them medical aid. Further, I united with the military officers, went to the spot, and investigated the case.

I inferred that as the foreigners went to the village and sought a quarrel, there must be some cause from which it originated; and therefore I carefully inquired into it. On inquiry, I found out that the Chinese had caused the death of a foreigner, and obliterated all traces of the transaction. I then immediately took into custody the murderous offenders, Soo-sang-pin, and others, and applied on every topic a grinding inquisition, by which I discovered that Soo-shang-pin *alias* Soo-ă-treun, on the 1st day of the 9th moon of the 13th of Tuon-kwang, at noon, was with Isw-a-ho, Chung-a-yew, and Tsae-a-fuh, four persons in all, fishing at the foot of Ke-ow hill, when they heard Ko-a-tseang, the son of Ko-ying-twan, calling out that foreigners were stealing a buffalo. Soo-shan-pin and the others landed, and saw the foreigners walking off, dragging the buffalo after them. Soo-shan-pin and the others seized the foreigner, and took him back into the village.

Tsae-sye-yang, the constable of that place, as he could not send a foreigner before the magistrate, ordered Soo-shang-pin and the others to take the foreigner and escort him back (to the ship). That day, at four o'clock p.m., the foreigners, in number about 50, rushed to the village, and sought to fight with the villagers. The villagers, all alarmed and frightened, came out to drive them away. The foreigners seeing so many people, ran away to avoid them. It happened that one foreigner, name unknown, fell behind; Soo-shang-pin, with Tsae-a-ho, Chung-pugtsewn, Chung-a-yew, &c., all at once ran upon the foreigner, beat and wounded him till he fell to the ground; soon after which he died. They seized a foreign sword and a musket.

Tsae-a-ho and the others all went home. It occurred to Soo-shang-pin to bury the body, and obliterate all traces of the occurrence. He therefore gave 1,600 cash to the villagers Chung-a-yeren, Chung-a-trew, Chung-kwan-shing, Ko-fuh-yuen, Tung-a-paon, and Yaon-a-yuen to carry the body to the sand-hill on the south side behind the village, and inter it. But Soo-shang-pin again bethought himself that somebody might find it out, and therefore after a little time Soo-shang-pin again dug up the body, and for 600 cash hired Ko-trum-hew, Ko-trum-tsae, and Ko-a-chaon to take a fast fishing-boat, and carry the body to the heart of the sea, and cast it away into the sea, after which they all separated.

At

* The last syllable *ya* which means Court, is omitted. Kung-pan-ya is the common appellation for company.

At the time that the foreigners sought a quarrel, and were driven back by all the villagers, having got outside the village, they saw the Chinese, Ko-ming-tsew, with a labourer, Hwang-a-yang, working in the field, and having made up to them, they seized Ko-ming-tsew, and took him on board ship. Hwang-a-yang calling out, was fired upon, and wounded by the foreigners.

On the third day of the moon, a great number of the said foreigners came to the said village to get back the foreign man, when they fired muskets and guns, by which the doors of the houses were broken. The said villagers, men and women, in great numbers, rescued and defended the place, and the foreigners retired. It happened at that moment that Sun-a-fuh, selling fish, passed by, and was wounded by a musket from the foreigners.

When these things occurred, they were all from first to last reported to the great officers of the province for their investigation, as is on record.

On the 18th of the 9th moon of Hwang-seen, he presented a statement, saying that his son Hwang-a-yang, who on the 1st of the 9th moon was wounded by a musket-shot from foreigners, and whose wounds had been examined, and medical aid afforded for him, had unexpectedly, being severely wounded, not benefited by medical aid, but, on the 17th day of the moon, died in consequence of his wounds. It was right that he should report to Government, and a coroner's inquest be taken, &c.

I immediately took with me writers of the criminal department, and an examiner of dead bodies to the remains of Hwang-a-yang. He had received wounds on his left thigh in front, on the right side of the fundament, and on the right side of the anus. They were all small shot wounds. The mouths of the wounds mortified. Undoubtedly he died in consequence of his wounds. Having sketched the plan of the wounds on paper, and taken a certificate of its truth from the kindred, the body was ordered to be interred.

Beside reporting to all the superior officers in Canton, I remark on this case, that the Chinese Soo-shang-pin and others who caused the death of a foreigner, and cast away the body to obliterate all traces of it, no doubt committed a crime that cannot be excused, and I have seized the principal and accomplices in the murder, to be prosecuted according to law.

But now being authenticated that Hwang-a-yang has died in consequence of his wounds, it is pressingly incumbent that the murderer be delivered up to be prosecuted, and pay the forfeit of his life. With earnest haste an order is hereby issued to the said chief, requiring him forthwith instantly to compel the said foreign ship to find out and deliver up the murderers, to be kept in custody, and wait for trial and punishment. The case involves a man's life, and the said chief must necessarily act according to the real truth in his search and management. Let there not be the least procrastination.

As to foreigners who have come to Canton to trade for a hundred and scores of years, and have received from the Celestial Empire the tenderest and most gracious treatment, they no doubt ought to be reverential and submissive, and obediently keep the laws of the Celestial Empire. And let the said chief moreover immediately order the said foreigners that they positively must for the time to come be tranquil and quiet, and so carry on their trade. They must not again make disturbance; if they dare to be perverse and disobey, I shall assuredly immediately report them, and request the great officers of the province to inflict a most painful and severe chastisement. Let none oppose delay.—Hasten! hasten! —A special order.

Taon-Kwang, 13th year, 9th moon, 20th day. } 1 Nov. 1833.

CONSULTATION.—The President and Mr. *Daniell.*

Howqua and Mowqua waited on the committee this morning, and informed them that Mowqua's brother, who bears official rank, had held an interview with the Viceroy on the subject of the Chinese who was wounded at Cum-sing-moon having died. They informed us that an edict would be issued in a few hours demanding the delivery of the murderer, and that the English chief was required to produce him. It is most probable that this interview with us was expressly held for the purpose of ascertaining our feeling in the affair, which might be a guide to the Viceroy in drawing up his edict. We therefore studiously adhered to our

argument that as this was an affair which happened outside the river, we could not be held responsible; that we had, in accordance with the Viceroy's wishes, informed him of the facts as they had become known to us, and we added that we believed ships of other nations were implicated in the disturbance, which made it impossible to fix the guilt on any nation in particular. Howqua then suggested that we should order up all who were concerned to take their trial in Canton; but this they ultimately abandoned, on our representing to them the risk of further disturbance which would attend the transmission of so great a number of men to Canton, without even the slightest chance of the individual who caused the death of the Chinese being discovered. Having again informed them that we conceived if the Viceroy allowed the continuance of a smuggling trade, we could not be answerable for its consequences, nor for the breach of those laws which it was the province of the local officers of government to enforce. Shortly afterwards an edict from the Viceroy was received, of which the following is a translation.

From Governor *Loo*, dated and received November 5, 1833.

Loo, Governor, &c. &c., hereby issues his commands to the Hong merchants, on the 23d of the 9th moon of the 13th year of Taon-kwang. The acting Heang-shan magistrate, Tun-poo, reported as follows:

The case is in court that the English foreigners seized and carried off a native of Ke-ow village, Ko-ming-tsew. From first to last, it led to the wounding of the Chinese Hwang-a-yang and Sun-a-fuh. I, holding a mean office, examined the wounded men, and gave orders for medical aid. I also assembled with the military officers, repaired to the spot, and investigated the affair. I found out that the Chinese, Soo-a-pin and others, caused the death of a foreigner, and obliterated all traces of the transaction. I seized the offenders, took their confessions, and examined into all the circumstances, which I have already reported for the inspection of government, as is on record.

Now, on the 18th of the 9th moon, the deceased's father, Hwang-hun-he, reported that his son, Hwang-a-yang, was wounded by a foreigner's musket-shot, on the 1st of the 9th moon, as he before represented, and had to give thanks for a coroner's inquest and the appointment of medical aid. Unexpectedly Hwang-a-yang, being severely wounded, received no benefit from that aid, and died on the 17th day. He reported, as was right, for an inquest.

I immediately took clerks of the criminal department, with an examiner of dead bodies, and repaired to the spot where the body was. Having assembled the kindred, an examination was made. Hwang-a-yang's left thigh, right fundament, and the left side of the anus, were wounded; all were small-shot wounds. The mouths of the wounds mortified; no doubt he died in consequence of the wounds. The body was ordered to be coffined and interred.

Further, on the 20th day of the present moon, a police runner reported that the foreigners had liberated Ko-ming-tsew, and, as was right, he had brought him to the court to state clearly the circumstances.

Being examined, Ko-ming-tsew deposed that he was seized by the foreigners, and on the 18th liberated, &c.

Beside stating the circumstances of the first examination, presenting a copy of the general report made to the supreme authorities, and the assembling of all the parties seized, and their evidence given, I now have furthermore reported the death of Hwang-a-yang, and the liberation of Ko-ming-tsew, for the examination of the Governor, that he may condescend to order the Hong merchants to enjoin an order on the chief to hasten and find out the foreign murderer, and deliver him over to the court to be prosecuted, and forfeit his life. Really this will be just and expedient.

The above coming before me, the Governor, I have examined and decide. In this case, at first, in consequence of the Chinese Ko-ming-tsew being seized, and Hwang-a-yang, &c., wounded, I ordered the Hong merchants to enjoin my orders to deliver up Ko-ming-tsew, and to find out the murderous foreigner who wounded the man, and keep him in custody. If the Chinese died of his wounds, then immediately, as would be right, to deliver the foreigner up to be prosecuted, and forfeit his life. This is on record.

It is now reported that Ko-ming-tsew has been liberated, which shows that the said foreigners have still sense enough to yield implicit obedience to the orders of reason. But as Hwang-a-yang has died of his wounds, it is right that the murderous

derous foreigners who fired the musket and wounded him should be immediately delivered up to be prosecuted.

An order is therefore hereby issued, requiring the merchants, as soon as it reaches them, to order immediately the English nation's chief to transmit orders to the said foreign ship captain to find out the foreign murderer who wounded and caused the death of Hwang-a-yang, and the same day deliver him up to wait for prosecution and punishment.

The Celestial Empire's laws are, that he who kills a man commits a capital crime, for which he must forfeit his life. The said foreigners (or barbarians) have long enjoyed our tender treatment and profound benevolence, and ought to obey the laws.

In this case the Chinese and foreigners reciprocally fought, and each has lost a life. The Chinese murderers are already caught; the foreign murderer must be, by the said ship captain, on an early day delivered up, and then will be seen reverential submission.

Be careful that there exists not the least opposition or delay. Intense—intense is this order.

Taon Kwang, 13th year, 9th moon, 2d day. } 5 November 1833.

EXTRACT CANTON FACTORY CONSULTATIONS, 7 November 1833.

IN acknowledgment of the Viceroy's communication of yesterday, we wrote the following letter:

To His Excellency the Viceroy of *Canton*.

We beg to acknowledge your Excellency's address of the 5th instant.

We have already made your Excellency acquainted with the account which we received respecting the disturbance at Ke-ow, differing from the report given to your Excellency, which stated that a buffalo had been stolen on shore by foreign sailors from the opium ships. On the other hand, the Chinese are accused of stealing copper and iron from a stranded vessel; hence arose the affray, in which it appears, by your Excellency's reports to us, two parties unfortunately lost their lives, one a foreign sailor, the other a Chinese.

You require us to give up a man to be examined and punished for the death of a Chinese, killed under the circumstances above stated.

We beg again to inform your Excellency that we disclaim all connexion with the operations of the opium ships, which remain outside the river unmolested by the officers of this province. We cannot be responsible for acts of violence and affrays between these ships and the Chinese; moreover, in the present instance, vessels of all nations were concerned.

We reside in Canton, conducting the trade of our country according to established regulations; is it to be supposed we can be considered in any way responsible for the opium trade at Lintin and its vicinity, conducted by ships of many nations?

These are affairs in which the local officers of Government should enforce their own laws, and regarding which we disclaim all responsibility.

Further, all vessels engaged in this affray have left the Cum-sing-moon, and sailed away to different places.

We beg to inform your Excellency of the arrival in China of His Majesty's ship Magicienne, Captain Plumridge, of which we have just received information.

We are, &c.
[(Signed by the President of the Committee.

Canton, 7 November 1833.

EXTRACT CANTON FACTORY CONSULTATIONS, 13, 15, and 16 November 1833.

13th Nov.—IN some conversations which the President had with Captain Plumridge on the purport of his visit to China, he has expressed a wish to be made acquainted with what has passed in China during the last summer with regard to the

opium ships, and Mr. Innes's unaccountable conduct, and more particularly in reference to the affray at Cum-sing-moon, now a subject of correspondence between us and the Chinese Government. We can have no possible objection to this request, indeed we think it highly desirable that such atrocious conduct as our Consultations exhibit should be made known to his Excellency the Commander-in-chief.

W. H. C. Plowden, Esq. &c. &c.

Sir,

Referring to the reports of the affray which took place with the crews of the English merchant vessels at Lintin and the Chinese, may I beg that you will permit me to peruse the letters which passed on that subject, and if not incompatible with your sentiments and those of the Select Committee, also allow of my taking copies of the same, as it occurs to me his Excellency the Commander-in-chief may deem it expedient to devise means to prevent such atrocities.

I have, &c.

Canton, 13 November 1833. (signed) *Hanway Plumridge.*

Hanway Plumridge, Esq., Captain of His Majesty's Ship Magicienne.

Sir,

I have the honour to acknowledge the receipt of your letter of this date, and beg to inform you that the Select Committee have great satisfaction in complying with your request to peruse the letters and proceedings that have passed on the occasion referred to in your letter, and have no hesitation in affording you copies of such parts of them as you may deem necessary for the information of his Excellency the naval Commander-in-chief of His Majesty's squadron in the East Indies.

The Select Committee have further much satisfaction in submitting to your inspection, with the same view, their proceedings in transactions that have taken place in China during the past summer, which, as affecting the regular conduct of the British commerce at this port, it may be equally desirable you should be made acquainted with.

I have, &c.

Canton, 13 November 1833. (signed) *W. H. C. Plowden.*

The annexed edict from the Viceroy has been this day received. He adheres to his original order for the delivery of the "murderers," but in moderate terms; and moreover, it appears that, contrary to customary demands, he proposes that the foreigners should be tried by foreign laws at Macao. This is certainly an innovation, and when such a proposition is voluntarily made, it is evident that the Viceroy considers he is obliged to continue his correspondence by asking satisfaction in a manner that he expects may give him an opportunity of eventually dropping the affair with credit to himself.

Governor *Loo* to the Hong Merchants, in reply to the Committee's Address of 7 November, dated 12, received 13 November 1833.

Loo, Governor of Canton and Kwangse, &c. &c., issues this order to the Hong merchants, requiring their full acquaintance therewith.

Before on account of the case of disturbance in the village of Ke-ow, caused by foreign vessels anchored in Cum-sing-moon, I took the result of the several investigations made by the civil and military officers of Heang-shan, and I gave orders to the said merchants, to be by them enjoined on the English chief, that he might make known to the said foreigners the orders to set loose again Kevi-sung-tsew, to deliver up the murderous foreigner (or foreigners) who fired at and wounded men, and to retire out of Cum-sing-moon. This is a record.

Now, on inquiry, I find that the said villager Ko-ming-tsew has been set at liberty, and that the foreign vessels also have gone out, but the murderous foreigner who wounded men has not been delivered up. It is authenticated that the said chief states, in reply, that the causes of the affray alleged on each side do not accord, one stating that the foreigners were stealing cattle, and the other that the

the natives were stealing nails. The Chinese and foreigners had each caused the death of a man, and the local officers should themselves enforce the laws. (He states) that himself and colleagues reside at Canton to transact, according to fixed laws, the commercial affairs of their nation, but with the vessels that do not enter the port they have no connexion. He has heard that all the vessels before in Cum-sing-moon, which had caused the affray, had sailed out. He also reports that the English ship of war Magicienne, Captain Plumridge, had just arrived in Canton, and that he in consequence takes the opportunity of reporting the same.

These circumstances being brought before me, the Governor, I have examined and find that the said chief and his colleagues have received the command of the said nation's King to reside at Canton for the general superintendence of the trade. Their official responsibility is not light. The foreign vessels of every nation, when they have come into the Canton seas, whether they enter the port or do not enter, are equally within the seas of China, and they must therefore obey the laws of China and the fixed enactments of the Celestial Empire. When foreign vessels in China have any affairs (with the Government), on account of the language not being common to both, it is the universal rule to give orders to the Hong merchants, requiring them to inform the chiefs of them, that they may enjoin them to make them known to the foreigners for them to act by. This is a fixed mode of action, and also a true way of maintaining the laws with dignity.

And in the present case the Indian foreign vessels engaged in the affray are of a country pertaining to England; they certainly cannot act on the principle of not attending to nor obeying the orders of the said chief. Hence, when the said foreigner Maké (MacKay) came to the capital, there was no formal accusation brought against him, yet Kevi-sing-tsew was immediately set at liberty, and the vessels retired from Cum-sing-moon; this must have been caused by attention to the orders enjoined by the said chief. Hereby may be perceived the said chief's ability to comprehend the principles of reason, and reverentially to obey the Celestial Empire; hereby also may be perceived that the orders of the said chief are able to compel the belief and obedience of the said foreigners. It is no use for him to make evasive excuses.

Of the origin of the present disturbance on both sides, I, the Governor, have directed the Ancharge to depute an officer, who, in conjunction with the local officers, has made investigation, and after repeated examinations, he has decided that the natives and foreigners were mutual offenders, and has framed a case accordingly. It remains only for the chief to deliver up the offenders to be tried respecting the real circumstances. The natives will be punished according to the native laws, and the foreigners shall be acted with according to the foreign laws, before an officer sent to Macao for the purpose of witnessing it.

For the present affair there is but one law; the law of the empire must be obeyed, and the chief must embody the sentiments which in sincerity and plainness I have declared to him, and must give urgent orders to the said foreigner to deliver up the foreign criminals to be tried and punished; and though the said nation's naval captain, Plumridge, has come to Canton, yet the chief alone is held responsible for the delivery (of the criminals). How can he be suffered to indulge in pretexts and evasive excuses?

Uniting the circumstances, I issue a speedy order for this purpose. I send this order to the Hong merchants that they may immediately enjoin it on the said chief for him to obey and act accordingly. Let him order the Indian ship captain, Maké, (MacKay) to deliver up the foreign criminals who caused the wounds of the Chinese, and when the criminals have reached Macao, let the said merchants immediately report to me, the Governor, to enable me to depute an officer to try and punish them. Should the said chief adhere firmly to blind stupidity, and refuse to be roused, the said merchants must clearly point out and fully explain the law, peremptorily requiring the immediate and speedy delivery of the murderers, in order to exhibit luminously the national government. Let them not depend on each other to be prompted with excuses. Should the said foreigners go elsewhere, the consequences will be that heavy criminality will be incurred. With urgency! With urgency! These are the orders.

Taou-Kwang, 12 November 1833.

The other document is a copy of a public proclamation, in exactly the same words as the preceding, and of the same date.

Consultation, full Committee.

15th November.—Having considered the edict from the Viceroy, recorded on the 13th instant, the Committee are of the same opinion regarding the line of policy which it becomes them to follow. In drawing up the following reply, they have been guided by the same arguments which they have used throughout the whole of this affair; arguments, the justice of which the merchants have admitted, and to which we trust the Viceroy, from his hitherto friendly disposition towards us, will attach due weight. With the exception of this unfortunate event (the perpetrators of which have not thought proper even to make any apology to us who bear the burthen of their rash and intemperate conduct, while they repose with perfect indifference as to the hazard they expose the trade of the port to, and the trouble and annoyance that they inflict upon us), we have much pleasure in remarking that a thoroughly good understanding exists between ourselves and the Chinese Government, which is very apparent from the weight that the President's conversation with Howqua, which was related to the Viceroy, has had in preventing him from issuing obnoxious edicts against His Majesty's ship, and rather treated her in a courteous manner.

We record our letter to the Viceroy, which will be delivered on Monday next.

To His Excellency the Viceroy of *Canton*.

Sir,

We have the honour to acknowledge your Excellency's address of the 12th instant, by which we regret to observe that your Excellency appears to have misapprehended our observations regarding the opium ships at Lintin and its vicinity, as well as our disconnection with their proceedings.

In the affray of the Cum-sing-moon, ships of all nations are reported to have been engaged; they have now quitted the Cum-sing-moon and sailed away to different places; the anchorage of the opium ships outside the river is permitted, is connived at by the officers of the government. We have frequently informed your Excellency that we disavow all responsibility on account of offences committed by them; it is not our affair to enforce the laws of the empire against smuggling ships of all nations. Although we deeply regret the death of the foreign sailor and the Chinese, we feel that the representatives of the East India Company, conducting a legal trade at Canton, can be in no way accountable for such irregularities as the affray at the Cum-sing-moon, in which your Excellency observes the natives and foreigners were mutual offenders. Besides, while we now write it is publicly announced that the ship alluded to by your Excellency, viz. that commanded by Captain Mackay, has many days past left China, and sailed away to another country.

We are &c.

(signed by the President, for the Committee.)

Canton, 15 Nov. 1833.

Consultation, full Committee.

16th Nov.—The merchants waited upon us this day, and stated that the Viceroy was very importunate for an answer to the last edict regarding the Cum-sing-moon affair, and that he had expressed to Howqua a wish that we would, if possible, assist him in bringing it to a conclusion on amicable terms; and, with this view, Howqua proposed that one man, it mattered not whom, should be sent to undergo a sort of trial at Macao, which would afford an excuse for dropping the business. This, of course, we objected to on all accounts; and, moreover, we were unaware whether the Governor of Macao would permit such a trial as they proposed to take place; we expressed our willingness to assist the merchants in giving the Viceroy an opportunity of getting out of the business, could we do so consistently, but that we had no intention of departing from those principles by which we have conducted our whole correspondence in this matter.

(signed) *W. H. C. Plowden.*
J. F. Davis.

Our letter to the Viceroy, above alluded to, was this morning delivered to Howqua for presentation.

EXTRACT FACTORY LETTER from *Canton*, dated 2d December 1833.

2. IN the packet of the Lady Melville, now under despatch, we have the pleasure to forward our consultations in this department from the 15th to the 28th November, whereby your Honourable Court will be placed in possession of the continuation of our correspondence with the Chinese Government, relating to the homicide at Cum-sing-moon.

3. Although the correspondence on this subject has not been brought to a conclusion, it has been conducted on both sides with temper and civility, without our having any reason to apprehend the trade of the port being threatened with interruption.

4. Our address to the Viceroy, alluded to in the 111th paragraph of our letter dated the 16th November, was delivered to the merchants for presentation on the 19th ultimo, with the addition we proposed to make to it, in the paragraph above alluded to. Factory Cons., 16 Nov. 1833.

5. November 23, 1833.—A few days subsequent to its delivery to the merchants, they waited upon us with the letter in question, stating that the Viceroy objected to some expressions it contained, tending to implicate the Government officers in reference to the illicit trade, and who rather, as Howqua said, than send us an offensive edict in reply, which he was unwilling to do, preferred returning it to us, in the hope that we might see fit to alter it to suit his Excellency's views.

6. This proposition was, however, quite inadmissible, for, should we once acquiesce, we might ever hereafter have difficulty in refusing it on other occasions; we therefore told the merchants we were sorry that our letter, or any part of it, was disapproved of, but as it contained nothing that was not strictly true, and as it was contrary to our policy ever to alter our letters, we were unable to meet their suggestions, and accordingly refused to receive it into our possession.

7. Howqua then proposed, as an alternative, that we should reply to the Quang-chow-foo's communication of the 20th instant, substituting other expressions for those which, in our address to the Viceroy, are represented as implicating the Government, which we finally agreed to do. This may prevent the merchants from getting into trouble, and we have drawn up an address to the Quang-chow-foo accordingly. Factory Cons., 26 Nov. 1833.

We have, &c.

(signed) *W. H. C. Plowden.*
J. F. Davis.

EXTRACT CANTON FACTORY CONSULTATIONS, 20 and 23 November 1833.

20 November.—WE this day received the following Edict from the Kwang-chow-foo; it is in purport similar to those formerly recorded.

Order from the Kwang-chow-foo Kin, concerning the Cum-sing-moon affray; dated and received November 20th, 1833.

Kin, appointed to act as Kwang-chow-foo, issues this order to the Hong merchants, requiring their full acquaintance therewith: on the 27th day of the 9th moon, in the 13th year of Twan-kwang (November 8th), I received an official document from his Excellency Hen, having acting charge of the Anchasze's office, as follows:

"On the 24th day of the 9th moon, in the 13th year of Twan-Kwang (November 5th), I received this official document from his Excellency Loo, Governor of Canton, and Kwangse provinces."

[*This Document is word for word the same as the Governor's Order of the same date (November 5th), except that at the end there is this addition:*]

"Besides issuing this order, I also unite the circumstances, and forthwith send you these directions, requiring you, the Anchasze, immediately to meet with the Poochingsze, and, conjointly, direct the merchants on all these points, to order and compel the delivery of the murderer for trial; also to direct the Hang-shan-heen, jointly with the deputed officer, Hooching, to assemble all the witnesses in the whole case, and try them by torture, respecting the real circumstances of the origin of the affray and quarrel, by which a man received wounds that caused death, and of the casting of the foreign corpse into the water. A true copy of the depo-

sitions to be made, and a general report (to all the high officers) forwarded; the criminals to be separately sent forward according to the decisions come to. Oppose not.

"On the receipt hereof, I, the Anchasze, besides communicating with the Poochingsze, that he may issue orders on all these points, also unite the circumstances, and forthwith send these directions to you, the Kwang-chow-foo, requiring you, in accordance with the substance of the Governor's order, immediately to order and direct the Hong merchants to order and make known to the English nation's chief, that he transfer the order to the said foreign ship captain, to examine clearly who was the murderous foreigner that caused the wounds of which Whang-a-yang died, and instantly to deliver him up to await his trial. Direct also the Heang-shan-heen, conjointly with the deputed officer, Hooching, to assemble all the witnesses in the whole case, and try them by torture, as to the real circumstances of the origin of the affray and mutual quarrel, of the wounds given, which caused death, and of the casting of the foreign corpse into the water; also, to make true copies of the depositions, and forward a general report (to all the high officers), and separately to send forward the criminals according to the decisions come to. Oppose not."

On the receipt of this, I, the Kwang-chow-foo, besides sending directions to the Heang-shan-heen, that he may obey and act accordingly, also unite the circumstances, and issue this order to be known. When this order reaches the said Hong merchants, let them immediately order and make known to the English nation's chief, that he transfer orders to the said foreign ship captain, to examine clearly who was the murderous foreigner that caused the wounds of which Hwanes-a-yang died, and instantly to deliver him up for trial. Oppose not. A special order.

Twan-Kwang,
13th Year, 10th Moon, 9th Day. } 20 November 1833.

23 November.—The President and Mr. Davis.

The merchants waited upon us this morning, having brought back our letter to the Viceroy, who they stated was displeased at some expressions contained in it, tending to implicate the Government officers, in reference to the illicit trade; and who, rather, as Howqua said, than send us an offensive edict in reply, which he was unwilling to do, preferred bringing it to us, with the hope that we might see fit to alter it to suit his Excellency's views. To do this, however, was quite out of the question, and, if once commenced upon, we might have difficulty in refusing hereafter. We therefore told them we were sorry that our letter, or any part of it, was disapproved of, but as there was nothing that was not strictly true, and as it was contrary to our policy ever to alter our letters, we were unable to meet their suggestions, and accordingly refused to receive it into our possession. Howqua then suggested, as an alternative, that we should reply to the Quang-chow-foo's communication of the 20th instant, substituting other expressions (for those which in our address to the Viceroy are represented as implicating the Government) in our reply, which we finally agreed to do. This may prevent the merchants from getting into trouble, and we shall draw up an address to the Kwang-chow-foo accordingly.

Extract Canton Factory Consultations, 26 November 1833.

Whilst our letter to the Kwang-chow-foo was preparing we received the following on the same subject; we therefore acknowledge its receipt, with the former, in our letter herewith annexed.

Order from the acting Kwang-chow-foo Kin, repeating the orders of his superiors concerning the Cum-sing-moon affray, dated 24th, received 25th November 1833.

Kin, appointed to act as Kwang-chow-foo, issues this order, to be obeyed:—On the fifth day of the tenth moon, in the 13th year of Twon-Kwang (November 16th), I received from Kin, the acting Anchasze, the following official order:—

"On the 1st of the 10th moon, in the 13th year of Twon-Kwang, (November

ber 12), I received from Loo, Governor of Canton, and Kwange, the official order which follows :—

[The Governor here repeats his order to the Hong merchants of the 12th instant, and adds :—]

"Besides issuing this order to the Hong merchants, I also unite the circumstances, and send these directions to be obeyed, requiring you the Anchasze, at your immediate convenience, to unite with the Poochingsze, and taking up the whole affair, issue orders to the Hong merchants to compel the delivery of the murderer for trial and punishment; also to issue directions to the deputed officer and Tungche of Macao, Hooching, in conjunction with the Heang-shan-heen, to assemble the witnesses in the whole case, and examine by torture respecting the origin of the quarrel on both sides, and the real circumstances of the contest and destruction of life. Let them report and act according to the facts; let there not be the least presuming neglect or delay. Hasten, hasten. Subjoined is a copy of the foreign petition."

"Having received this, I, the Anchasze, beside forwarding a communication to Poochungsze that he may issue orders on the whole case, also unite the circumstances, and forthwith transfer this official order, requiring you the Kwang-chow-foo, in accordance with the spirit and requirements of the Governor's order, to command the said Hong merchants to enjoin commands on the said chief, that he in accordance thereto may compel the country ship captain, Maké, to deliver up the foreign criminal who wounded the man; and on his reaching Macao let the said merchants report to all the superior officers, and wait till the Governor deputes an officer to try and punish him. Should the said chief persevere in folly, and refuse to be aroused, the said merchants must also clearly explain to him the laws, and positively require the instant delivery of the murderer, to make a luminous display of the national government. They must not depend on each other for excuses of the said foreigner having gone elsewhere, by which they will involve themselves in heavy criminality. Let the said Kwang-chow-foo at the same time communicate directions to the Wei-quen and Tungche of Macao, Hooching, that he, in conjunction with the Heang-shan-heen may assemble the witnesses on the whole case, and examine by torture respecting the origin of the affray on both sides, and the real circumstances of the contest and destruction of life, and may make a report to all the superior officers. Let there not be the least presuming neglect or delay. Hasten, hasten. Annexed is a list."

I, the Kwang-chow-foo, having received this, have communicated it to the Tungche of Macao, that he may act in obedience to it; I also unite the circumstances and issue this order; when this order reaches the said merchants let them, in accordance with the spirit and requirements of the Governor's order, immediately compel the country ship captain, Maké, to deliver up the foreign criminal who wounded the man; and on his reaching Macao let the said merchants make a general report to the superior officers, and wait till the Governor deputes an officer to try and punish him. Should the said chief persevere in folly, and refuse to be aroused, the said merchants must also explain to him the laws, and positively require the instant delivery of the murderer to make a luminous display of the national government. They must not trust to each other for excuses that the said foreigner has gone elsewhere, by which they will involve themselves in heavy criminalty. Oppose not. A special order.

Twou-Kwang,
13th Year, 10th Moon, 13th Day. } 24 November 1833.

To the Kwang-Chow-Foo of Canton.

Sir,

We have the honour to acknowledge the receipt of your letters of the 20th and 25th instant, in which you communicate to the Hong merchants, in order that they may convey them to us, the directions of the Chinese Government respecting the discovery of the foreigner who caused the death of the Chinese, Hwang-a-yang, in the affray at Kee-ow.

We have already, in two previous addresses to the Viceroy, communicated to his Excellency all that we have heard respecting that unfortunate affair, in which two parties respectively lost their lives, one a foreign sailor, the other a Chinese. We have further stated to his Excellency that we disclaim all connection with the

operations of the opium ships, which remain outside the river, unmolested by the officers of this province; that we cannot be responsible for acts of violence and affrays between these smuggling ships and the Chinese; and that, moreover, in the present instance, vessels belonging to many nations participated.

We reside in Canton, conducting the trade of our country according to the established regulations: how can we, with any justice, be considered in any way responsible for the opium trade at Lintin and its vicinity, conducted by ships belonging to all nations? These are illegal affairs, in which the officers of Government should enforce their own laws, and regarding which we disclaim all responsibility. Further, all the vessels engaged in this affray have long since left the Cum-sing-moon, and sailed away to different countries.

We have stated these circumstances to his Excellency the Viceroy; yet, notwithstanding, the Chinese Government, according to your letters, persists in requiring us to discover and deliver up for trial the foreigner who caused the death of Hwang-a-yang: it must be quite apparent, however, to you that it is impossible for us to do so, on every account, but more especially as the ships of several nations were concerned in the affray; how can it be possible for us to discover, from among the number of foreigners from all countries, the identical person by whose hand a Chinese was killed? and with what justice, we ask, under such circumstances, can the Chinese Government fix the guilt upon a British subject?

We are, &c.
(Signed by the President, for the Committee.)

EXTRACT FACTORY LETTER from *Canton*, dated 10th December 1833.

2. OUR correspondence with the Chinese Government, relative to the homicide at Cum-sing-moon remains much in the same state as when we last addressed your Honourable Court. The demand for the delivery of a man, in the place of the Chinese who lost his life on the occasion, is still the point firmly persisted in: the responsibility appears, by a late edict from the Kwang-chow-foo, to have been laid, in great measure, on the Hong merchants, who are threatened with the loss of their buttons, in the event of non-compliance with this officer's demands.

3. It is difficult for us to venture an opinion as to the probable outturn of this affair; but as no interruption to our trade has yet occurred, nor even been hinted at as an alternative, we may hope that, if the correspondence be continued with us, it will not involve any suspension of the trade of Canton.

We have, &c.
(signed) *W. H. C. Plowden.*
J. F. Davis.
J. N. Daniell.

EXTRACT CANTON FACTORY CONSULTATIONS, 4th and 6th December 1833.

4th December.—THE following edict from the Kwan-chow-foo was this morning received:

The Kwang-chow-foo Kin, in the Cum-sing-moon affray, dated 3d, received 4th December 1833.

Kin, acting Kwang-chow-foo to the Hong merchants, requiring their full acquaintance with the contents hereof.

In the case of Loo-shan-pin, a native of Houng-shan-heen, having wounded a foreigner man, le-Yavong-na, so that he died, and of Hwang-a-yang being wounded by a foreign murderer, so that he died, I have repeatedly received from his Excellency the Governor strict orders to command the delivery (of the murderer). Every time, I have issued orders to the said nation's chief to compel the delivery of the murderous foreigner to be brought for trial, as is on record. Up to this time, many days have elapsed, but he has not yet been delivered up.

On examination, I find that the English nation's foreign merchants, trading at Canton for many years long, have been enriched by the dews of the Celestial Empire's favours. They ought to know that killing a man is a crime involving an equal forfeit. The law is clearly known to all, and universally acceded to. How can there be between the flowery people and the barbarians any distinction? The said

chief

chief resides at Canton to control and manage; he ought still more tremblingly to obey the laws and rules.

This is a case of the flowery people and the barbarians mutually wrangling, and each killing a man. The flowery murderous criminal has before been immediately seized; the barbarian murderer ought also to have been delivered up. What has induced the said foreigners to adhere to their stupidity, refusing to be aroused, and, with obstinate perseverance, refusing to deliver him up? It all arises from the said merchants not having been able, with assiduous attention, to admonish and command them to manage the matter well and speedily.

I have received from his Excellency the Governor a severe order, intensely urging that within few days it will be necessary immediately to try and report (to the Emperor). There are ten thousand impossibilities (*i. e.* it is utterly impossible) to the further sufferance of perverse delay. With consideration, I again issue an order commanding the (murderer's) delivery. When the order reaches the said merchants, let them instantly obey the spirit thereof. They are again required, within the limit of five days, to enjoin orders on the said chief to command the said foreign ship captain on the spot to take the murderous foreigner who caused the death of Hwang-a-yang, and within the day deliver him up to wait for full punishment; if they again evade, and do not deliver him up, I assuredly will instantly report to the Governor that he may take the said merchants; and, after unscrewing their cap-buttons, compel them, in a limited period, to deliver up (the murderer). Also the said merchants alone are held responsible. I apprehend they will be unable to bear this heavy responsibility of guilt. Tremble hereat! Be attentive hereto! A special order.

Twon Kwang, 13th Year, 10th Moon, 22d Day. } 3 December 1833.

In the foregoing edict, the demand for the delivery of a man in the place of the Chinese who lost his life in the affray at Cum-sing-moon is still firmly persisted in, though the responsibility in the matter is in a great measure fixed upon the Hong merchants, who are consequently apprehensive of the threat made by this officer to solicit the Viceroy to deprive them of their official buttons being carried into execution.

Considering the presence of His Majesty's ship Magicienne in China at the present moment rather a desirable circumstance, we are of opinion that if Captain Plumridge can consistently with his orders from the admiral postpone his departure from hence, his doing so may in some measure facilitate us in drawing to a close the correspondence in which we are engaged, relative to the homicide at Cum-sing-moon, we address the following letter to him on the subject, putting our appeal to him in a form which he can act upon, or otherwise, as he feels inclined.

To *James Hanway Plumridge*, Esq. Captain of His Majesty's Ship Magicienne.

Sir,

As we are induced to believe the presence of His Majesty's ship Magicienne, in China, may facilitate the termination of the correspondence in which we are at present involved with the Chinese government, in consequence of the violent proceedings of the opium ships in the Cum-sing-moon, in October last, when a Chinese lost his life, and as it may operate as a check upon the demands of the Government for the surrender of a man to appease the offended laws of China, we beg to suggest to you that the postponement of the departure of His Majesty's ship Magicienne, for a short period, may be very desirable, and we shall feel greatly obliged to you should the nature of your instructions from His Excellency the Commander-in-Chief enable you to acquiesce in our suggestions.

We have, &c.

Canton, 5 December 1833. (Signed by the Committee.)

6th December.—The following letter was this morning received from Captain Plumridge in reply to ours of yesterday's date:

To *W. H. C. Plowden*, Esq. President, &c. &c.

Gentlemen,

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, requesting me to postpone, for a short time, the departure of His Majesty's ship; in reply, I beg to inform you that I shall continue at my present anchorage until the 15th instant; about which period it will be requisite that I depart on execution of ulterior orders from my commander-in-chief.

I have, &c.

H. M. S. Magicienne, (Signed) *Hanway Plumridge*, Captain.
Lintin, 6th December 1833.

EXTRACT FACTORY LETTER from CANTON, dated 3 January 1834.

Para. 2. WE have the pleasure to forward our Consultations in this Department, from the 6th December 1833 to the 3d January 1834; and your Honourable Court will learn from them that we continue to receive from time to time edicts from the Chinese government, relative to the homicide of Cum-sing-moon. We have not considered it politic to extend the correspondence on our part, and the affair remains much in the same state as heretofore.

We have, &c.

(signed) *W. H. C. Plowden.*
J. F. Davis.
J. N. Daniell.

EXTRACT CANTON FACTORY CONSULTATIONS, 15 December 1833.

WE have received another edict from the Kwang-chow-foo, on the subject of the Chinese killed at Cum-sing-moon. It embraces precisely the same points of discussion as those hitherto recorded, and terminates by the threat of requesting the Viceroy to take away the buttons from the Hong merchants, if a foreign offender be not delivered up. As this edict is a mere reiteration of several preceding ones, we abstain from placing it on our records.

EXTRACT CANTON FACTORY CONSULTATIONS, 23 December 1833.

WE record the following edicts, which have been received from the Chinese officers of Government. In reply to them, we could only repeat what we have so often stated; we think it best therefore to abstain from taking any notice of them at present.

From the Kwang-chow-foo, dated 17 December; received 20th, 1833.

Kin, the acting Kwang-chow-foo, hereby issues his orders to the Hong merchants.

On the 27th day of the 10th Moon, of the 13th Year of Taon Kwang, a document was received from the acting Gan-cha-sye, Hew, stating that on the 24th day of the 10th Moon of the 13th Year of Taon Kwang, an answer was received from Loo, the acting Foo-yuen of Canton, &c. to the following effect:

The Heang-shan-heen presented a petition, stating that a foreigner had caused the death of Kwang-a-yang, and that Loo-shang-pin and others had caused the death of a foreigner, obliterating all traces of the corpse.

This appears on record.

On a subsequent occasion, the evidence given was also reported, and a request made to enjoin the Hong merchants to order the chief to deliver up the foreign murderer to be prosecuted, and pay the forfeit of his life. To which the following answer was given: According to the representation made, let a clear investigation be entered into concerning the occasion of a bloody affray, by witnesses being summoned and facts ascertained, by their being confronted. All this was done. Now the said Heen has sent another representation.

Already

Already, from the governor's office, was an answer given to the Lye, to direct the merchants to order the chief again, commanding him to deliver up the foreign murderer to be prosecuted.

Although the affair concerns an outside barbarian (or foreigner,) it is only a common case of reciprocal boxing, in which each party lost a life; still it is right that the trial and explanation should be carried on by the said Heen, and when the foreign murderer is presented, it will also be right to send an officer, to unite with him and repair to Macao, that approaching the scene (of the disturbance,) they may head the "foreign eye," and unite with him in taking the evidence of the foreign offender, to be preserved on record, and punishing the foreign murderer according to foreign laws.

At present, in Canton, the officers deputed to try the important cases are very many. In this case it is not necessary to bring all the parties to Canton city; but the Gan-cha-sye is hereby directed to inform the said Lye to take all the circumstances of the origin of the affray discovered on trial, and make them known to the head Foo, that he may order the Hong merchants to enjoin commands on the chief to urge the delivery up of the foreign offender. No opposition or procrastination will be allowed. Intensely! intensely! after which, wait till answer be given from the governor's office.

A copy of the representation sent is herewith issued.

On receiving the above, I, the Gan-cha-sye (or judge) inquired into the case, and found that an order from the governor had been previously received, and also communicated for obedience thereto, as is on record.

Now, on receiving the above, I address a document to the Foo, to act according to the above decision of the acting Foo-yuen, that he may forthwith give directions to state the origin of the affray as represented, and order the Hong merchants to enjoin an order on the chief to urge the delivering up of the foreign murderer. No opposition or procrastination will be allowed. Intensely! intensely! (is this order given).

On receiving the above, (I, the Kwang-chow-foo,) besides writing to the Heang-shan-heen, hereby issue an order to the Hong merchants to state forthwith the origin of the affray, as he has represented it, and enjoin an order on the chief to urge the delivery up of the foreign offender. No opposition or delay will be allowed. Intensely! intensely! are these commands given.

Taon Kwang,
13th Year, 11th Moon, 7th Day. } A. D. 17 December 1833.

On the Cum-sing-moon Affray.—GENERAL REPORT from the Heang-shan Magistrate, addressed to the Kwan-chow-foo. No date. Received 20 Dec. 1833.

A respectful address. It appears on record that the foreigners having murdered a Chinese, Kwang-yang, and carried off Ko-ming-tsew, I, a mean officer, immediately assembled the officers in camp, and hastened to the spot, to examine and manage the affair; and having heard that a Chinese had caused the death of a foreigner, and afterwards obliterated the traces, I forthwith, one after another, found out and arrested the criminals, and witnesses Loo-shang-pin, alias Loo-a-heuen, and others, and brought them before me. The depositions which they made on examination, I duly reported. Afterwards, it was reported to me that Kwang-a-yang had died in consequence of his wounds, and that the foreigners had liberated Ko-ming-tsew; all which I duly reported from time to time, for the information of the great officers; as appears on record.

I then brought up Ko-ming-tsew, and examined him. Ko-ming-tsew made the following deposition. He had, at the place called Tsing-keo, a mat-shed (where he remained) to plough and sow. On the 16th day of the 8th Moon, in the present year, 29th September, there was a foreigner from the English country foreign ship Weishun, anchored in the outer sea of Cum-sing-moon, who came with ten catties of iron nails to his ploughing-shed, and bartered them for one fowl and two fish. On the 1st of the 9th Moon, (13th October,) three foreigners from the said ship came on shore to obtain fresh water. Having passed his ploughman's shed, they saw the iron nails lying in the shed, and suspecting that he had stolen them, they immediately dragged him off, and also took away the

iron nails. His fellow-labourer, Kwang-a-yang, who was at work in the field, by the side of the shed, turned towards the village, and cried out. He was fired at, by a foreigner behind, and was wounded. As to Loo-shang-pin, how he heard the cry, and came up in pursuit, and carried away a foreigner who had fallen behind; how he liberated him again, and on the way back met the foreigners, and entered into dispute and contest with them, and having wounded a foreigner, cast away the corpse, and obliterated the traces; and how, on the 3d, (October 15th,) the foreigners again came to the village to demand the man, fired musketry to intimidate and threaten, wounded Sunapah, and destroyed the gates and doors of the temple; he is ignorant of all these things, owing to his having been carried off by the foreigners.

On examination, I found that the circumstances in which the quarrel originated, as thus stated in the deposition of Ko-ming-tsew, do not coincide with those stated in the former depositions of Loo-shang-pin and the others. I then immediately searched for, and arrested the eye-witness, Keang-a-wae-fang, together with the village elders, Chung-tse-yan and Wang-heen-kwae, and again applied, with increase, the torturing examination. Loo-shang-pin deposed as follows: his fellow villager, Ko-ming-tsew, had hired as a fellow labourer, Kwang-a-yang, and set up a mat-shed at the place called Tsing-keok, (where he remained) to plough and sow. On the 16th day of the 8th Moon, on the 13th year of Taon Kwang, September 29, there was a foreigner belonging to the English foreign country ship, Weishun, anchored outside of Cum-sing-moon, who came with ten catties of iron nails, and took in exchange fowl and fish. On the 1st of the 9th Moon (October 13) there were three foreigners came on shore to get fresh water, and passed Ko-ming-tsew's ploughman's shed; seeing the iron nails, they suspected that they had been stolen, and immediately carried off Ko-ming-tsew, and took him back to the ship; they also took back the iron nails. The workman, Kwang-a-yang, who was at work on the field by the side of the shed, when he saw what was doing, turned round towards the village, and cried out. He was fired at by a foreigner from behind, and wounded. He (Loo-shang-pin), with Tsae-a-ho, Chung-tseun-tseun and Chung-a-yew, were fishing close by, and when they heard the cry they landed, and went in pursuit. A foreigner, who fell behind, they seized, and carried back into the village, where they brought him to the constable, Tsae-sye-yang. Being a foreigner, whom it was inexpedient to bring before the Government officers, he bid them take the foreigner back. When they had proceeded half way, and reached a place called Shangwe, they met four foreigners, who were running to the village to demand the man. When they met them, witness and Tsae-a-ho immediately liberated the foreigner. The foreigners then began to scold them with abusive language, telling them they should not have carried off the man. They would not submit, and returned the railing and abusive language, so that a dispute began. Tsae-a-ho and Chung-tseun-tseun then took up some sticks of firewood that were lying on the ground, and, with witness, advanced to strike and fight with the foreigners, who ran from them. One foreigner, Man-le-yaong-na, fell behind, and seeing them overtaking him, he turned round and struck them with a sword he had about him. He (witness) drew a sharp-pointed knife, which he carried about his person, and warded off the blow, striking the sword to the ground, and wounding Man-le-yaon-na's left wrist; Man-le-yaong-na then took a musket that he had with him, and struck at tsae-a-ho; Tsae-a-ho warded off the blow with a stick, and wounded Man-le-yeong-na's right shoulder; Man-le-yaong-na raised his foot to kick, and Chung-tseuen-tsuen struck with a stick and wounded Man-le-yaong-na's left shin; Chung-a-yew, with his fist, struck and wounded Man-le-yaong-na's left eye-socket; Man-le-yaong-na turned again, and struck at witness; witness with his knife run Man-le-yaong-na through the belly, so that he fell to the ground; at that time Keang-kwae-fang passed by and saw them, but was too late to stop them. In a short time Man-le-yaong-na died, and witness took possession of the foreigner's sword and musket. Tsae-a-ho and the others all ran home. Afterwards he (witness) determined to bury the corpse, and so obliterate all traces; he forthwith hired, with 1600 cash, Chung-a-yuen, Chung-ful-yuen, Jungap-ow, and Yaon-a-yun, who have been caught, and Chunga-tseo, and Chung Kwan-sing, who have not yet been caught, and they carried the body to a sandy hillock, on the south side behind the village, and buried it. He then gave the money to Chung-a-yuen and the others, and they went away. Again fearing lest men should know of it, he, after a little time had elapsed, dug up the corpse himself;

and

and then, with 600 cash, he hired Kwo-tseuen-seu, Kwoa-tsae, and Kwo-a-chaow, who have not yet been caught, to carry it in a fishing-boat into the middle of the sea, when they took the body and threw it into the sea. All then separated, and he went and told the circumstances of his having thrown the body into the sea, to Tsae-a-ho and Ching-a-yuen. On the 3d (October 15), these foreigners, on account of Man-le-yaong-na being lost, came in numbers in front of the village, to demand the man, and fired off muskets to threaten and intimidate them. It happened that Tun-a-foh was then passing by, and ran to get out of the way, but was wounded by the small shot spreading about; the gates and doors of a temple in the village were also injured. Afterwards the old men of the village, Chung-tse-yun, and others, went out and rebuked them, bidding them go away. They then turned back. When before brought up for examination, owing to Ko-ming-tseu not having yet been brought up, and to the alarm of the time, he made erroneous deposition; but now, having to return thanks for a general assembly (of the witnesses), and renewed examination, he deposes the real facts, &c.

Having received also the depositions of the Keang-hwae-fang, the eye-witness, and of the village elders, Chung-tse-yun, and Hong-huen-hwae, that the origin of the quarrel and affray arose from the barter of iron nails for fowl and fish between the foreigner and Ko-ming-tsew, and that when Loo-shang-pin caused the death of the foreigner, Man-le-yaong-na, he, Keang-hwae-fang, was a passing witness, I find, on thorough investigation, that these depositions do not differ from that of Loo-shang-pin, and confronting them with Tsae-a-ho and the others, their depositions also agree.

On examination, I find that the matter of the present depositions disagrees slightly with the depositions before reported. But I dare not, on account of having before reported differently, screen myself by keeping back anything. Besides having reported the recorded depositions of the several criminals, made a prepared general report of the circumstances ascertained on examination, respecting the death of Kwang-a-yang, owing to wounds received, and, in obedience to the reply of the Governor, united with the Keun-min-foo of Macao, to assemble the criminals and witnesses, re-examine them, and report, I also, as is right, take the depositions made on the re-examination, and forthwith present you a prepared report thereof, for thorough examination. And I beseech you to order the Hong merchants to command the chief immediately to find out the murderous foreigner, and deliver him up for full trial. This will really be just and proper.

Further, this case concerns outside foreigners. Whether it should or should not be carried to the provincial capital to be tried, I lay before your tribunal, awaiting your decision.

Besides reporting to the Governor and Foo Yuen, to the Poo-ching-sye, Ancha-sye, and Leang Choo-taon, and to the Keun-min-foo, I also, with awe, present this prepared report, prostrate, waiting for your compassionate glance at it.

The mean officer Foo's respectful report.

Governor *Loo*, concerning the Cum-sing-moon Affray, sent through the Gancha-sye and Kwan-chow-foo, dated December 21st, received 22d, 1833.

Kin, the Kwan-chow-foo, concerning the discovery, apprehension, and prosecution of certain persons.

On the 25th of the 10th moon of the 13th year of Taon Kwang (December 6th), a document was received from Hew, the acting Gancha-sye, as follows:—

"On the 20th of the 10th moon of the 13th year of Taon Kwang (December 1st), an answer was received from Loo, the Governor of Canton, and Kwang-se, stating as follows:—

"'The Hang-shan-hein reported, that a foreigner had caused the death of a native, Hwang-a-yang, and that Loo-shang-pin and others had caused the death of a foreigner, and obliterated all traces of the body. The place was repaired to and examined; offenders seized, and their evidence taken. An answer was given, directing that as the native villagers of Kee-ow had quarrelled and fought with

the foreigners, seizing each other, and each losing a life, the said Heen magistrate should prosecute according to the facts, and report.

" 'The English chief also petitioned on the subject, and orders were given to the Hong merchants to enjoin an order on the chief to direct the delivering up of the foreign murderer, How Ching, the Tung-che of Macao, was ordered to go and unite in conducting the trial. It was also reported that Ko-ming-tsew was liberated. The proceedings are all on record.

" 'The affair, as above given, is hereby referred to the Gancha-sye, that he may forthwith hasten to urge the Hong merchants to reiterate the order to the chief, to command the ship captain to hasten to deliver up the foreign murderer for trial and punishment. Further procrastination will not be allowed; and still direct the said Heen magistrates to force a strict search for Chung-a-yen, and others, who have escaped; they must be taken. Let him unite with the Weynin Hoo-ching, and bring up before them the criminals now in possession. Judge faithfully, decide and report. Let there be no delay or connivance.

" 'Wait for a reply from the Foo-yuen's office, and instructions, and deliver the drawing (or sketch on paper of the place and circumstances) to be preserved.'

" I, the Gancha-sye, receiving the above, forthwith direct the Kwan-chow-foo to urge and order the Hong merchants to reiterate the order to the chief to deliver up, &c."

(Here the Gancha-sye repeats the Governor's words, and then the Kwan-chow-foo repeats the Gancha-sye's, with the usual winding up, Hasten! hasten! &c.)

Taon-Kwang,
13th year, 11th moon, 11th day.

EXTRACT FACTORY LETTER FROM CANTON, dated 31st January 1834.

2. WE have now to communicate to your Honourable Court a proceeding, on the part of the local Government, which has caused us considerable uneasiness, and which, from the singularity of its nature, entails upon us all the difficulty and embarrassment which must of necessity arise from the acts of those authorities with whom we have to deal being at diametrical variance with European principles and practice, while our own conduct may be expected to be more or less in conformity with those models.

3. A rumour had, up to the 24th instant, been current in this place, of so extraordinary a nature, that we were unwilling to believe, and still more indisposed to act upon it, unless coroborated by some creditable testimony. It appeared that the mandarin, brother of Mowqua the Hong merchant, had been sent down from Canton with the view of devising some mode of obtaining possession, if possible, of the individual who killed a Chinese in the armed attack of the opium smugglers upon the Chinese town at Cum-sing-moon. He returned once without success, upon which he was told that, unless he could contrive to succeed in some manner in his mission, his peacock's feather would be taken from him.

4. The result, we understand, of his second visit to Macao was to procure, by the aid of a considerable sum of money, the person of a Malay or other man of colour, either from the town of Macao, or from a junk or ship in the neighbourhood, who was persuaded to assume the character of brother to the person killed in the affray. Rushing forward (it was pretended) to save his relative, a musket which he held went off by accident, and caused the death of the Chinese. He was told to state that his contrition had induced him voluntarily to deliver himself up.

5. As the above rumour gained strength, the President sent for Howqua and succeeded with some difficulty in making him confess that a man was actually in custody; but when former acts of cruelty and perfidy on the part of the local government, in nearly similar cases, were urged as grounds for entertaining reasonable apprehensions that the worst might happen on this occasion, Howqua asseverated in the strongest terms that no such intention existed, but that the man would certainly be released after the customary forms.

6. We hope, and indeed think it quite possible, that such may be the result; but at the same time, our knowledge of the Chinese character, and of the individual, forbade our attaching more credit to Howqua's word than it was worth. In a case where human life was implicated, and when (on the supposition of the catastrophe being

being fatal) a supine acquiescence on our part in the early stage of the proceeding would be so justly censurable, we deemed it our duty to enter a strong but temperate protest with the Viceroy against the execution of any cruel or fatal sentence.

7. The individual in behalf of whom we interposed, because he was associated with the English name, was an innocent person, whom careful inquiry among the shipping has proved to be utterly disconnected with the affray at Cum-sing-moon; and whose claim upon our humanity (independently of the obvious policy of preventing such an atrocious precedent) derived its chief strength from that very disconnection.

8. On the 28th, a reply was received from the Viceroy to our address, in which not only its meaning, but very words were misrepresented, in a manner that would have excited our surprise had we been less accustomed to Chinese proceedings. The object was evidently to involve us, as well as the man in the city, with the Cum-sing-moon affair. We therefore lost no time in repeating the tenor of our former address, and showing that it was because the individual in question was not connected with the acts of the smugglers, and not because he was connected with them, that we had interfered. We took occasion, at the same time, to reiterate our former protest, and to request that he might be liberated. This second address was delivered to the merchants in a body on the 29th instant, and we await the result.

9. Your Honourable Court may be assured that our future course of proceeding shall be as deliberate as the importance of the case requires. In the meanwhile, it is satisfactory to observe that the interests of the Honourable Company's trade, of the season just concluded, can no longer be affected.

We have, &c.

(signed) *J. F. Davis.*
John Jackson.

EXTRACT CANTON FACTORY CONSULTATIONS, 11th January 1834.

WE record the following documents relating to the homicide at Cum-sing-moon, which have been this day received.

From Kin, the Kwang-chow-foo, concerning the Cum-sing-moon affray, dated January 10th, received 11th, 1834.

Kin, the Kwang-chow-foo hereby issues his order to the Hong merchants.

On the 23d of the 11th moon of the 13th year of Taon-kwang, (January 2d, 1834,) a document was received from Loo, the Governor of the two Kwang provinces, as follows:

" It appears that the ships anchored at Cum-sing-moon made a disturbance at Ke-ow village, and took away Ko-ming-tsew, a native; they also wounded with a musket two men, Hwang-a-yang and Sun-fuh. Hwang-a-yang died in consequence of his wounds.

" A native, Loo-shang-pin, and others, also caused the death of a foreigner, Manle-yang-na, and threw away the body to annihilate every trace of the affair.

" In this cause, according to the civil and military authorities of Heang-shan, the foreigners who went to the village and made a disturbance belonged to Weichun's country ship. The foreign country ship belongs to a dependent nation of the English. The captain, Maké, it was said, had gone to Canton to accuse and state the case, but he had not repaired to my office to present his petition. In the meantime I ordered the Hong merchants to transmit orders to the English nation's chief, Plowden, and others, to direct the liberation of Ko-ming-tsew, and the delivery of the foreign murderer who wounded the man, that their cases might be discriminated and prosecution and punishment follow.

" After this the Heang-shan seized the criminals who had caused the death of the foreigner and thrown away his corpse, examined them, and reported their confessions to all the higher officers of the province; the foreign ship merely liberated Ko-ming-tsew; it did not deliver up the foreign murderer.

" According to the said chief and others, they residing at Canton, and carrying on their nation's commerce agreeably to the laws, have no concern with ships that have not entered the port, and they say that the ships which made a disturbance at Cum-sing-moon have all set sail and gone. I, the governor, have already given my commands, and require the Hong merchants to enjoin them perspicuously for obedience thereto. That the said chief and others have received the mandate of

their King to reside at Canton, and have a general control of the commerce; and the ships of foreign nations, whether they enter the port or do not enter the port, are all on the seas of China, and ought to obey the Chinese laws; and assuredly there is no such thing as that they (the ships) would not obey the orders of the said chief. There is no use in the said chief making excuses to push the matter from him. These proceedings are on record.

" I also sent an officer, who found out that the country ship was still at Lintin; it had not set sail and gone away.

" In examining past cases when natives and foreigners have reciprocally committed crimes which have been prosecuted, the chief has always delivered up the murderer to be tried according to the facts; the native to be punished according to our law, and the foreigner to be treated according to foreign laws.

" The crime in this instance was committed under the jurisdiction of the Kwang-chow-foo, and it is right to deliver it over to the said Foo that he may head the Hong merchants in intensely urging the chief to deliver up the foreign murderer at Macao, and then petition the Weiguen to unite in prosecuting the affair. This has been done, but many days have elapsed, and still no foreign murderer has been delivered up, which really indicates contempt.

" In this case Chinese killed a foreigner, and the local officers, as soon as they found it out, seized the murderers, tried them, and did not allow them to escape. This shows that the local officers viewed as of importance the life of a foreigner, and prosecuted with sincerity and truth. The said chief and others ought also to know, and feel respect, and send a person with a letter to command Maké to take, speedily, the foreign murderer and deliver him up; they might then be accounted respectful and obedient.

" In a case so important as man's life the laws allow only a limited period. It is right that the said Foo try the case and transfer it, but not stand by remissly. He is hereby strictly ordered to urge the case. Let him immediately, in obedience hereto, take the topics pointed out in this document, and strictly order the Hong merchants, in the most urgent manner and with the highest intensity, to command the chief, Plowden, and the others, to send a man to direct the country ship, Captain Maké, to take the murderous foreigner who wounded the man, and deliver him up, and report the same; that, having proof, the Anchasye may send a Weynen to Macao to unite in the examination and management of the case. At the same time let Loo-shang-pin and the others be tried and sentenced, and be sent up through the Sye for verification and management. Do not again procrastinate; it will involve guilt, which will be reported to the Emperor. Tremble at this, intensely, intensely!"

I (the Kwang-chow-foo) besides writing to the Heang-shan-heen to try and sentence Loo-shang-pin and the others, hereby issue an order to the Hong merchants to (here he quotes verbatim the last paragraph, beginning at " command, the chiefs," &c.)

A special order.

Taon-Kwang, 13th year, 12th moon, 1st day. } 10 January 1834.

EXTRACT CANTON FACTORY CONSULTATIONS, 24 January 1834.

A RUMOUR has for some time past been afloat, of so extraordinary a nature, that we were unwilling to believe, and still more indisposed to act upon it, unless corroborated by some credible testimony. It seems that the Mandarin, brother of Mowqua the Hong merchant, was sent down to Macao, with the view of devising some mode of obtaining possession, if possible, of the individual who killed the Chinese in the affray with the smuggling ships. He returned to Canton once without success, upon which he was told that unless he could contrive to succeed in some manner in his mission, his peacock's feather would be taken from him. The result, we understand, of his second visit to Macao was to procure, by the aid of a considerable sum of money, the person of a Malay, or other man of colour, either from the town of Macao or from a junk or ship in the harbour, who was persuaded to assume the character of brother to the Lascar reported as having been killed in the same affray. Rushing forward (it was pretended) to save his brother, a musket which he had went off by accident, and caused

caused the death of the Chinese. He was tutored to state that his contrition had induced him voluntarily to deliver himself up, imploring pardon, and representing that an aged mother in his own country stood in need of his services; a very common plea in China for granting pardon to criminals.

As the above rumour gained strength, the President sent for Howqua, and succeeded, with some difficulty, in making him confess that a man was actually in Canton; but when former acts of perfidy and cruelty on the part of the local Government, in nearly similar cases, were urged as grounds for entertaining reasonable apprehensions that the worst might happen on this occasion, Howqua asseverated in the strongest terms that no such intention existed, but that the man would certainly be released after the forms of a trial had been gone through and the case had been reported to Peking.

We hope, and indeed think it quite possible, that such may be the result. At the same time, our knowledge of the Chinese character, and of the individual, forbids our attaching more credit to Howqua's word than it is worth. In a case where human life is implicated, and where (should the catastrophe be such as our experience too strongly urges us to fear it may) a supine acquiescence on our part would be so justly censurable, since this man's case is, by report, connected with the English, we deem it our duty to enter a strong but temperate protest against the execution of any cruel or fatal sentence, in the terms of the address which is subjoined. In adopting this measure we do not involve ourselves in any way whatsoever with the affray at Cum-sing-moon. The individual in behalf of whom we interpose, is an innocent person, notoriously unconnected with that business, and his case derives its chief strength from that very disconnection. As soon as the address has been translated, we shall lose no time in delivering it to the Hong merchants for transmission.

To his Excellency the Viceroy of Canton.

Sir,

We, the President and Select Committee for the affairs of the English East India Company in China, have ascertained that a black man has, through the agency of one of the Hong merchants, been conveyed from Macao to Canton, and that he has been persuaded to declare himself to be the person who accidentally caused the death of the Chinese native, unfortunately killed at Cum-sing-moon.

Under all the circumstances of the case, which are as well known to your Excellency as they are to ourselves, we feel convinced that your Excellency's far-famed justice and benevolence are the best security for the ultimate safety of this innocent person. As, however, the affair in which this poor man has been induced to involve himself is, by report, connected with English as well as many other foreign ships on the coast, while the individual himself is altogether alien to any participation in the alleged affray, we feel it only due to ourselves to protest, and do hereby protest in the most solemn manner, against any violence or injury being offered to him; though we beg again to avow our conviction that your Excellency's high sense of justice will never permit the commission of an act of such atrocious cruelty.

We have, &c.

(Signed by the President for the Committee.)

Canton, 24 January 1834.

Our address to the Viceroy, above recorded, having been translated, we summoned the merchants in the evening, and delivered it to them for presentation. Howqua inquired as to its contents, when the President informed him of the impropriety of such an application, as he ought to have known from long established usage that the merchants were only the medium of transmission, without being made acquainted with the contents of our letters; upon which the address was received, with the understanding that it would be presented to the Viceroy to-morrow morning.

EXTRACT CANTON FACTORY CONSULTATIONS, 25 January 1834.

IN order to ascertain beyond a doubt whether any man is missing from any of the English ships in port, we cause the following public notice to be exhibited, and at the same time address a letter to the Governor of Macao, acquainting him with the circumstances of the case.

This is to give notice, that a rumour being current among the Chinese of some man of colour having, by means of a bribe, been inveigled from Macao by the agents of the local government, with a view to his pleading to an alleged charge of accidental homicide; it is hereby requested that any person connected with the country shipping, as agent, commander, or otherwise, who may be a aware of a Lascar having been missing from his ship, will communicate the circumstances to the undersigned for the information of the President and the Select Committee, the object being to ascertain if the person so deluded be a British subject or in British employ.

Canton, British Factory,
25 January 1834. (signed) *J. H. Astell*, Secretary.

To his Excellency *Bernado José de Souza Soares d' Andrea*,
Governor of Macao.

Sir,

Having been informed that some man of colour has, by means of a bribe, been inveigled from Macao by the agents of the Chinese Government, with a view to his pleading to an alleged charge of accidental homicide, we consider it right to communicate this intelligence without delay to your Excellency, in order that, should you see fit, a proper inquiry may be instituted.

We have in the meanwhile taken the necessary steps to ascertain whether the person so deluded be a native of the Honourable Company's dominions in India, or otherwise a British subject, or in British employ.

We have, &c.

Canton, 25 January 1834. (Signed by the Committee.)

EXTRACT CANTON FACTORY CONSULTATIONS, the 28th January 1834.

THE following reply from the Viceroy to our address, recorded on the 24th instant, was this day received.

Document from Governor *Loo*, dated and received January 28.

Loo, Governor of Canton, &c. &c. to the senior Merchants.

The English chief Davis and others have presented a statement, saying:

"We have heard that a black man, seduced by a Hong merchant, has been conveyed to Canton from Macao, on account of being unfortunately the murderer who caused the death of a native, at Cum-sing-moon, &c. We protest to prevent the said man being injured," &c.

This coming before me, the Governor, I have, according to the tenor of the above, given the following public reply:—

The Celestial Empire cherishes the tenderest regard for remote barbarians; but in case of their committing crimes with natives reciprocally, it is incumbent that each party obey the fixed laws, and it is necessary that they appear before a Court to be fully examined, and dealt with according to the facts; thus no perversion of the laws or connivance ensues. The said foreigner has, in obedience to the laws, voluntarily given himself up, and therein shown a trembling regard to the royal statutes. Let there be no turning, and saying that he has been seduced by some one, that he may be injured, and so irregularly create suspicions.

Moreover, the said chief and others have stated that the affair at Cum-sing-moon was not one which it concerned them to arrange. Why do they now abruptly present this petition, and themselves produce a divarication?

It

It is hereby ordered, that the senior merchants communicate commands to be tranquil, and listen, and not annoy.

Besides issuing the above proclamation, I hereby unite all the circumstances, and command the said merchants, in obedience hereto, to enjoin forthwith these commands, to be obeyed according to the tenor thereof. Oppose not.

Taon Kwang,
13th year, 12th moon, 19th day.

In the foregoing document, not only the meaning, but the very words of our address are misrepresented, in a manner that would have excited our surprise, were we less accustomed to Chinese proceedings. The object is evidently to involve us, as well as the man in the city, with the Cum-sing-moon affair. We therefore consider it requisite to repeat, without loss of time, the tenor of our former address, and explain to the Viceroy that it is because the individual in question is not connected with the acts of the smugglers, and not because he is connected with them, that we interfere. We take the occasion, at the same time, to reiterate our former protest, and request that he may be liberated.

EXTRACT CANTON FACTORY CONSULTATIONS, the 29th January 1834.

HAVING drawn up a letter to the above purport herewith recorded, we convened the merchants this day, and delivered it to them for presentation.

To his Excellency the Viceroy of Canton, &c. &c.

Sir,

In reply to your Excellency's paper received yesterday, we have to complain that the words of our preceding address are misrepresented in a manner quite unusual in public documents. Had we called the man in question a murderer, we should not have protested against his trial and punishment. On the contrary, we expressly called him an innocent man, and stated that he had been persuaded to declare himself to be the person who accidentally caused the death of the Chinese native, unfortunately killed at Cum-sing-moon. It was because he was not connected with that affray that we addressed your Excellency in his behalf, and not because he was connected with it.

We cannot consider the reply to our address as any assurance of this innocent man's safety; and as it is in the name of the English that he is detained, we are called upon by our office again to protest against any injury being offered him. Should he be allowed to become an unhappy victim to his own folly, we hereby declare that, after this public declaration, we cannot be held responsible for any consequences.

Further, we have to repeat that the person who has been persuaded to come up from Macao, is not in any way connected with the affray at Cum-sing-moon; that he has not, "in obedience to the laws, surrendered himself;" but is, in violation of the laws, a "substitute for a person accused of murder." We accordingly request of your Excellency his immediate liberation.

Canton, 29 January 1834. (Signed by the Committee.)

EXTRACT CANTON FACTORY CONSULTATIONS, 1st February 1834.

Minute of Conference.

WHILE the President was preparing to embark in the boats, Howqua and Mowqua appeared to report that the last protest of the committee had been received, and that the contents had brought them, particularly Mowqua, into great danger and difficulty. They pretended that the reply of the Viceroy to our first protest was quite satisfactory, and had assured us of the man's life not being sought, and that we were mistaken, not only in thinking that the second protest was called for, but likewise in believing that the man in custody was substituted for another person. They accordingly urged that the protest should be received back.

Being now alone in the Committee at Canton, the President sent for the Secretary to be present on the occasion, and then informed these merchants that they ought to know how impossible it was to receive back any paper the Committee had once sent, and particularly this protest, the object of which was to protect, if possible, the man's life from danger, and obtain his liberation. That inquiry had been made; and we had been led, to the best of our belief, to consider that the man (whoever he was) could not possibly have been engaged in the affray at Cum-sing-moon. Howqua once ventured to hint that, if this were not the man himself, the President and Committee would become responsible for his delivery; but he was warned to desist from such observations; as, after what had long since passed, they were both absurd and offensive. Howqua and Mowqua then declared that they would both become personally responsible to the English that no injury was done to the man, and thereupon urged us to save them from the consequences of our last protest, by withdrawing it. The President replied to this by asking those merchants how they could guarantee this man's safety, after the notorious failure of similar assurances from them on former occasions, as in the case of the man delivered up by the Americans? A failure, which might be foreseen, as they were in no way a part of the local government, but at the mercy of the most inconsiderable officer in it. He, at the same time, added, that he did not wish to expose them to unnecessary danger; but what he looked for was, at least, a written public guarantee from the Viceroy himself, that the man should not only suffer no violence, but be set at liberty; and whenever this was obtained, he should be happy to acknowledge that the Committee's expressed apprehensions for that person's safety had been erroneous; but that, until this arrived, the Committee's protest must stand. After many difficulties, one of the merchants worded on a bit of paper, in his own language, what should be done on the occasion; and the President, in order to guard against any equivocation or garbling of his own meaning, akin to what was practised in the document received only a day or two since, wrote down, in English, his real proposition, by the side of the Chinese, and read it to the merchants, requesting Mr. Astell, the Secretary, to take a copy of it on the spot, as follows: "If I receive the Viceroy's written assurance that the man shall not suffer injury, but be released after inquiry, I shall readily acknowledge that my former apprehensions were unnecessary, and withdraw my protest." The merchants then said they would show this memorandum to Mowqua's brother, and consult about it. The President repeating to them that, as he had (after such late experience of its necessity) taken the precaution to explain to them and write down his real intention in English, as witnessed and copied by the Secretary, he should, in case of mistakes, admit of no interpretation of his proposition but that; and it must be appealed to if required. It is evidently the anxious desire of the Chinese to avoid our protest by every means in their power.

EXTRACT CANTON FACTORY CONSULTATIONS, 8 February 1834.

THE following letter from the Viceroy arrived this morning. It certainly ensures the safety of the man in custody, and is so far highly satisfactory; but his liberation besides, demanded by us, is not touched upon. In our reply it will be politic to take it for granted that he cannot be detained, and repeat our request for his immediate liberation.

Loo, Governor of Canton, &c. &c., hereby issues his commands to the Hong Merchants.

On the 20th day of the present moon (January 29), the English chief Davis and others again presented a statement concerning the foreigner who has delivered himself up to the public courts. They have again made a declaration. Beside issuing a public reply to their statement (it is here remarked) that the circumstances and phraseology of their documents are exceedingly inexplicable. How could an innocent man be willing to be persuaded by others to confess himself guilty? Further, there is this expression, "Because of his own folly,—and unhappily lose his life." The affair emanated from no intention of the heart, and assuredly will not lead to the forfeiture of life. To ascertain whether or not the said chief and others entertain doubts and fears, which have led to their presenting this

this statement, an order is hereby issued; as soon as the order reaches the Hong merchants, let them forthwith immediately enjoin it on the said chief and others, that they, in obedience thereto, may present a reply. Oppose not. A special order.

Taon-Kwang, 13th year, 12th moon, 24th day. } A.D. 2 February 1834.

EXTRACT CANTON FACTORY CONSULTATIONS, 11 February 1834.

THE following letter to the Viceroy, in answer to that before recorded, is approved, and forwarded this day to Canton.

His Excellency the Viceroy, &c.

Sir,

The declaration contained in your Excellency's last reply, that the man in whose behalf we protested, will assuredly not lose his life, has given us great satisfaction, and we are happy to find that our apprehensions lest he should be put to death were mistaken. It now only remains for us to request that your Excellency will issue your commands for his liberation, in order that the doubts and fears of foreigners at Canton may be finally set at rest concerning him.

We have, &c.

Macao, 11th February 1834. (Signed by the Committee.)

EXTRACT CANTON FACTORY CONSULTATIONS, 20 February 1834.

THE Sylph and Red Rover being about to sail for Calcutta, we direct our secretary to place the Bengal Government in possession of everything that has occurred relating to the affray at Cum-sing-moon since the date of our last communication on that subject. We likewise direct that copies of every document relative to the detention of the person in the city of Canton may be forwarded at the same time, as referred to in the following letter.

G. A. Bushby, Esq. Secretary to Government, Fort William.

Sir,

I had the honour to address you, on the 1st of last November, on the subject of the affray at Cum-sing-moon, which took place in the preceding month; I am now directed by the President and Select Committee to place you in possession of such further proceedings as have since occurred, with the view of affording His Excellency the Right honourable the Governor-general every information on a subject of such importance to the interests of British commerce at the port of Canton.

2. Had the facts, as they stood at the date of my last despatch, remained unaltered, it is more than probable that no further discussion would have taken place with the Chinese Government; but unfortunately, only a few days subsequent to the sailing of the vessel by which my letter was forwarded, the President and Select Committee were officially acquainted that the Chinese said to have been wounded in the affray had expired; this announcement was accompanied by formal demands from the local authorities, and afterwards from the Viceroy, for the delivery of the "murderer," to appease the offended laws of the empire. These edicts were accordingly met by a consistent and firm opposition on the part of the President and Select Committee, to a requisition which implied a responsibility on their part for disorders which have grown up under the connivance of the Chinese Government.

3. A constant repetition of similar edicts proving altogether ineffectual, and the Hong merchants being well assured that the President and Select Committee were fixed in their resolution of disclaiming all responsibility for acts committed by the owners of the opium ships outside the port, recourse was had to other experiments, and attempts were made at expedients, to which it was beneath the Committee to lend themselves; and thus for a time the matter almost sunk into oblivion.

4. Towards the end of last month, a rumour became current in Canton, of so extraordinary a nature, that the President and Select Committee were unwilling to believe, and still more to act upon it, unless corroborated by some credible

testimony. It appeared that the mandarin, brother of Mowqua, one of the Hong merchants, had been sent from Canton, with the view of devising some mode of obtaining possession, if possible, of the individual who killed the Chinese at Cum-sing-moon; he returned once without success, upon which he was told that unless he could contrive to succeed in some manner in his mission, he would be degraded in rank.

5. It appeared, by the result of his second visit to Macao, that Mowqua procured, by the aid of a considerable sum of money, the person of a Malay, or other man of colour, either from the town of Macao or from a junk or ship in the neighbourhood, who was persuaded to assume the character of brother to the person killed in the affray on the side of the crew of the opium ships. Rushing forward (it was pretended) to save his relative, a musket which he held went off by accident, and caused the death of the Chinese. He was told to state that his contrition had induced him voluntarily to deliver himself up.

6. As the above rumour gained strength, the President sent for the senior Hong merchant, and ascertained by his confession that the man was actually in custody in the city, adding at the same time, in the strongest terms, that no injury was intended to be done to him, but that he would certainly be released after the customary forms.

7. Long experience and knowledge of the Chinese character forbade much credit being attached to the word of a Hong merchant on such an occasion; but hoping, and even thinking it possible that, in this instance, his assertion might be verified, the President and Select Committee could not but feel considerable uneasiness under the knowledge that an individual, notoriously an innocent man, and utterly disconnected with the affray at Cum-sing-moon, but representing a British subject, was confined in the city, and involved in a case wherein his life was implicated.

8. It is unnecessary for me further to narrate the circumstances of the case, save to observe that a public assurance was at length extorted from the Viceroy as to the safety of the man's life. The President and Select Committee are anxious that his Excellency the Right honourable the Governor-general should be made acquainted with every particular, and with this view have directed me to transmit to you all the documents which have transpired on the occasion referred to; they are numbered 1 to 7.

I have, &c.

Macao, 20th February 1834. (signed) *J. H. Astell*, Secretary.

EXTRACT CANTON FACTORY CONSULTATIONS, 22 February 1834.

RECEIVED this day the following reply to our last address to the Viceroy. From Governor Loo, concerning the homicidal substitute; dated February 19th, 1834, received 22d.

Loo, Guardian of the Heir Apparent, Dignitary of the Headmost Rank, Governor, &c. to the Senior Merchants.

The English chief, Davis, and others have presented a reply to an order of mine making inquiries about the foreigner who had delivered himself up on account of the affair at the Kee-ow village. On examining the phraseology of the reply, this expression occurs, "Gives great satisfaction; it is earnestly requested that an order of liberation may be issued," &c.

Besides issuing a public answer to the statement received, declaring that on a full view of the case, it should be known that, according to the laws of the Celestial Empire, it is right to wait after the opening of a warrant till deputed officers try the case, and consult clearly, and report to superiors the facts, after which they receive orders obediently and tranquilly to wait for final decision to be acted on; this is the way.

Let the said senior merchants forthwith enjoin these orders for the information of the parties concerned.

Besides

Besides the above public proclamation, let an order be issued to the said Hong merchants to enjoin forthwith the order, conformably to the public proclamation, on the said chief for their obedience thereto. Oppose not.

Taon-Kwang, 14th year, 1st moon, 11th day. } A.D. 19 February 1834.

(True Copies.)

East India House, 23 March 1840. } JAMES C. MELVILL.

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